

1997
TOWN OF KILL DEVIL HILLS
LAND USE PLAN UPDATE

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Staff

Debora P. Diaz, Town Manager
William G. Loy, Director of Planning and Development, Certified as
Planner-In-Charge
Meredith Birdsong, Planner
Leslie Eldredge, Administrative Assistant

Consultants

William R. Turner, Jr. AICP
William C. Overman Associates, P.C.
380 Cleveland Place
Virginia Beach, VA 23462

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EXECUTIVE SUMMARY

As the word update implies, the planning effort represented by this document was geared toward providing a "snapshot" of the Town of Kill Devil Hills in 1997 as compared to 1993. Generally, the picture shows a town that is an appealing place to live and to visit, a town that has made definite strides, and a town that is looking for better ways to serve the public and meet the demands of the future.

- ! The Coastal Area Management Act of 1974 (CAMA) establishes a cooperative program of coastal area management between local governments and the State. Land use planning lies at the center of local government's involvement.
- ! The Town of Kill Devil Hills was incorporated in 1953.
- ! Kill Devil Hills is located within Dare County. Its neighbors to the north are the towns of Kitty Hawk and Southern Shores. Its neighbor to the south is the Town of Nags Head.
- ! Kill Devil Hills is a resort community of approximately 5,130 residents with a peak seasonal population of about 40,000.
- ! The Board of Commissioners, as a part of its mission, is intent on efforts to foster civic pride by enhancing the natural beauty of the area such as the:
 - < promotion of public perception
 - < promotion of family values and beach atmosphere
 - < maximizing value of taxpayer dollars (fiscal responsibility)
 - < protection and accessibility of natural resources
- ! During the policy discussion process, the Town compared its land use policies to those of Kitty Hawk, Nags Head, and Dare County as found in their land use plans of record. Generally, the three localities adopted land use policies that were consistent with each other except for support of a community-wide sewer system and with respect to building heights.
- ! The population of Kill Devil Hills is predominantly Caucasian (+98%).

- ! An estimated 51% of the Town=s population is between the ages of 18 and 44 years. About 20% of the population is younger than 18 years, while about 15% are over 65 years.
- ! The provisional population estimate from the State places the Town=s 1996 population at 5,130, an increase of 892 since 1990, or an average annual increase of about 3% during the period. The peak population (year round residents and visitors) is estimated to be about 40,000.
- ! The economy of Kill Devil Hills relies primarily on tourism as its main industry.
- ! Since the development of the 1993 Plan, no major subdivisions have been reviewed. Since 1993, minor subdivisions and boundary adjustments have occurred routinely.
- ! From fiscal year 1992-93 through June 30, 1997, 22 permits for new commercial construction were issued while permits for new residential construction totaled 332. During the same period, permits for additions, alterations, and conversions to commercial buildings numbered 230 with another 607 permits for like activities to residential structures.
- ! Presently, 95-98% of the private land in Kill Devil Hills with development potential has been platted.
- ! Land use patterns in Kill Devil Hills reflect the orientation of the community to the Atlantic Ocean shoreline and the economic base provided by tourism.
- ! The immediate oceanfront in Kill Devil Hills provides the setting for a number of hotels, motels, and condominium projects, most of which were constructed from 1970 - 1980.
- ! On the west side of Virginia Dare Trail, a second tier of residential structures has developed.
- ! A residential district in the vicinity of the Wright Brothers National Memorial is intended to serve as a residential buffer between the two commercial districts.
- ! Community facilities adequately meet the current needs of the citizens of Kill Devil Hills.
- ! Many of the current transportation system needs of Kill Devil Hills are being met or have been planned for by the Town or the North Carolina Department of Transportation.

- ! There are approximately 4,400 single family structures in Kill Devil Hills, 840 multifamily dwellings, and over 1,600 motel/hotel rooms in the Town.
- ! The Town of Kill Devil Hills uses the police power vested in the Board of Commissioners to enforce a number of growth management guidelines. The Town also maintains a professional staff to administer these guidelines and various advisory groups to develop plans and make recommendations to the Board concerning land use and growth management.
- ! Chapter 19 of the Town Code provides guidelines for the subdivision or recombination of parcels of land in Kill Devil Hills.
- ! Chapter 21 of the Town Code provides local guidelines for land use through the establishment of zoning districts. Permitted and prohibited uses for each zoning district are defined in this chapter, as are the minimum lot sizes, maximum building heights, population density ratios, minimum yard setbacks, and other appropriate guidelines.
- ! The two major transportation routes serving the Town, NC 12 (Virginia Dare Trail) and U.S. 158 (Croatan Highway), were the primary factors influencing the development of the Town's approach to zoning. These two highways have become borders that identify patterns of land use and geographic sub-regions.
- ! All areas of special flood hazard within the Town as identified by the Federal Emergency Management Agency's (FEMA) on its Flood Insurance Rate Map (FIRM) 375353B, April 12, 1993, are regulated. The Town's building inspector administers the ordinance.
- ! In 1983, the Town commissioned a study to identify its storm water management problem areas and to develop a management plan for coping with them.
- ! Kill Devil Hills commissioned the preparation of a shoreline access master plan in 1979. In 1990 and 1998, the Town updated this plan to assist its users with the development of shoreline accesses.
- ! Completed in 1997, the Recreational Facilities Plan Update further defined projects and priorities and provided detailed mapping and cost estimates.
- ! Chapter 21 of the Town Code requires the submission of site plans for all commercial development projects and all multi-family residential development projects in excess of a quadraplex.

- ! In 1997, the Town developed its first Capital Improvement Plan. The plan was formatted and intended to be a dynamic document which will effectively serve the Town for fiscal decisions and planning purposes henceforth. The Plan will be reviewed and updated annually during the months leading up to budget preparation in the Town.
- ! The Storm Hazard Mitigation and Post-Disaster Reconstruction Plan establishes procedures and actions to reduce the potential for loss of life, minimize damage to property, and to provide a framework for orderly construction in the event of a hurricane or other natural disaster.
- ! Kill Devil Hills contains one notable man-made hazard area -- the landing strip at the Wright Brothers National Memorial.
- ! Flooding is the most common natural hazard faced by the Town. The dominant source of flooding in Kill Devil Hills is storm surge generated in the Atlantic Ocean and Albemarle Sound by winter storms, tropical storms, northeasters, and hurricanes.
- ! Flood hazard areas have been mapped and the 10-year coastal floodplain identified on the Flood Insurance Rate Map for the Town.
- ! Current trends show that most soils in Kill Devil Hills can be modified to accommodate development, but environmental and monetary costs can sometimes be prohibitive.
- ! The on-site disposal of septic tank effluent is a common soils problem throughout Kill Devil Hills. Many poorly drained and/or impermeable soils in the area are severely limited in their ability to accommodate septic tank effluent in a safe and sanitary manner.
- ! Kill Devil Hills relies on three primary water sources. These are:
 - deep wells in Skyco on Roanoke Island;
 - Fresh Pond; and,
 - Reverse Osmosis Plant.
- ! In a 1996 agreement with Dare County, Kill Devil Hills relinquished its ownership in these facilities and will continue to purchase water from the County. The Town's allocation is 3 million gallons per day. Currently, peak water demand is approaching 2 million gallons per day.

- ! Areas in Kill Devil Hills where the predominant slope exceeds twelve percent include:
- Wright Brothers National Memorial;
 - Run Hill;
 - frontal and primary dunes along the oceanfront; and,
 - dunes with vegetative cover in the maritime forest.
- ! Under the Coastal Area Management Act (CAMA), North Carolina's Coastal Resources Commission (CRC) has designated a number of areas of environmental concern (AEC) in order to protect the State's valuable natural resources. Seven types of AEC's in three categories are found in Kill Devil Hills. These are:

Estuarine System AEC's

- Estuarine Waters
- Coastal Wetlands
- Public Trust Areas
- Estuarine Shorelines;

Ocean Hazard AEC's

- Ocean Erodible Areas
- High Hazard Flood Areas; and,

Public Water Supply AEC's

- Fresh Pond.

- ! The State classifies tidal salt waters as follows:
- Class SA: Shellfishing for market purposes and any other usage specified by the ASB@ and ASC@ classification;
- Class SB: Primary recreation and any other usage specified by the ASC@ classification;
- Class SC: Fish and wildlife propagation, secondary recreation, and other uses requiring waters of lower quality
- ! The waters of the Atlantic Ocean carry the ASB@ water quality use classification. The waters of Kitty Hawk Bay carry the ASC@ water quality use classification.

- ! Kill Devil Hills is located entirely within the hydrologic unit identified as 03010205230030. See MAP 1, MAP 6, and MAP 8.
- ! Until 1996, Kill Devil Hills, Dare County, and Nags Head shared in the operation of the Dare County Regional Water System. At that time, Kill Devil Hills relinquished its ownership rights to the systems= plants and sources. Kill Devil Hills is allocated 3 million gallons per day (MGD) of the 9.9 MGD that can be generated by water system facilities. The system can be expanded to generate a total of approximately 16.0 MGD, of which Kill Devil Hills would be entitled to approximately 4.5 MGD.
- ! The average water consumption for the Kill Devil Hills system was approximately 1.22 MGD for fiscal year July 1, 1996 to June 30, 1997. The peak demand in 1997 was 2.0 MGD. As of June, 1997, the Kill Devil Hills water system had 4,547 residential water meter accounts and 206 commercial accounts.
- ! There are two elevated water storage tanks in Kill Devil Hills.
- ! Ground storage is .70 million gallons at W. 8th Street and .50 million gallons at the Police, Fire, and Finance complex, 1634 North Croatan Highway.
- ! Kill Devil Hills, like its neighbors, relies on septic tanks and some package treatment plants. The following is a list of the package wastewater treatment plants in Kill Devil Hills:
 - Outer Banks Beach Club Wastewater Treatment Plant
 - Holiday Inn
 - The Kill Devil Hills Ocean Acres Plant
- ! At present, most community facilities generally appear to be adequate to meet existing demands. However, for the five year planning period (1997-2002), facilities' maintenance and upgrading will become more crucial.
- ! After collection by the Town, solid waste is transported to a transfer station in Manteo. The waste is then disposed of at the Bertie County Regional Landfill.
- ! The educational needs of Kill Devil Hills are the responsibility of Dare County.
- ! The North Carolina Department of Transportation maintains the major highways within the Town and routinely develops plans for system improvements.

- ! The Town has developed a master plan for local street improvements.
- ! Buildout, if defined as every parcel being developed to its highest permissible density, could only be achieved with the use of community-wide wastewater. The complete coverage of the Town by development will not likely occur before the year 2007.
- ! The Town projects its 2003 permanent population at 6,100 and projects the peak visiting population plus permanent population in 2003 to be about 48,000.
- ! A moderate growth rate that will result in a permanent population of about 8,500 persons by 2007 is projected.
- ! The Town will continue to rely on tourism as its main industry throughout the planning period.
- ! There is sufficient vacant land to meet the demands anticipated for the planning period.
- ! Most of the community facilities demands anticipated for the planning period will be adequately met by existing facilities and those planned.
- ! Transportation system demands anticipated for the planning period will become more problematic and may not be adequately met by the existing system.
- ! The demand for housing and accommodations anticipated for the planning period will be met by existing stock and private initiative based upon market demands.
- ! The Town implemented or is implementing most of the strategies identified in the 1993 Land Use Plan. Most notable were updates of its Recreational Facilities Plan and Shoreline Access Plan and the development of a Capital Improvements Plan and a Storm Hazard Mitigation and Post-Disaster Reconstruction Plan.
- ! In addition to numerous workshops and meetings devoted to the review of land use issues, Town policies, and implementation strategies, the Town distributed a public opinion survey in July 1997. Of the 7,000 surveys distributed, 1,500 (21.4%) were returned by the August cutoff date. The results of survey response, as applicable, are included in the BACKGROUND discussions of each policy listed in Chapter IV of this Update.
- ! Following is a list of Town policies with respect to land use planning, growth, and development:

RESOURCE PROTECTION ISSUES

1. **Areas of Environmental Concern (AEC):** The Town supports the guidelines of the Coastal Area Management Act and the associated policies of the Coastal Resources Commission but reserves the right to oppose specific sections of the CAMA. The Town is opposed to any additional AEC designations or the extension or enlargement of any existing AEC designations within its borders.
2. **Hazardous or Fragile Areas**
 - a. 404 Wetlands, Freshwater Swamps, and Marshes - The Town supports CAMA and U.S. Army Corps of Engineers regulations as applicable, reserving the right to review any proposed modification to existing regulations. The Town supports mitigation activities when used in conjunction with public purpose projects.
 - b. Maritime Forests - The Town supports the maintenance and management of maritime forests and supports the use of locally adopted management guidelines. The Town encourages private owners of land in maritime forests to retain the natural wooded condition of their property.
3. **Protection of Potable Water Supply:** The Town supports the protection of its water supply resources.
4. **Package Treatment Plants:** The Town supports the establishment of a community-wide wastewater treatment system for the protection of the health, safety, and welfare of the citizens of Kill Devil Hills and not to promote increased dwelling density. The Town supports the use of package treatment plants in the interim if they are:
 - designed to treat less than 100,000 gallons per day;
 - affixed to the units they serve; and
 - if both the package treatment plants and the units they serve are located within the boundaries of Kill Devil Hills.
5. **Stormwater Runoff:** The Town supports the mitigation of adverse impacts associated with stormwater runoff within Town limits and the policies adopted as a part of the Town of Kill Devil Hills Stormwater Management Plan Update, 1988 and subsequent updates.
6. **Marinas, Floating Homes, Dry Stack Storage Facilities, and Mooring of Vessels in Public Trust Waters:** The Town opposes floating homes, dry stack storage facilities, and the mooring of vessels in public trust waters not affiliated with a marina or a private dock in Kill Devil Hills.

7. **Industrial Impact on Fresh Pond AECs:** The Town supports the protection of fragile areas such as the Fresh Pond AEC and supports measures to mitigate potential adverse effects of industrial uses.
8. **Sound and Estuarine System Islands:** The Town supports the preservation of the current undeveloped state of sound and estuarine islands under the jurisdiction of Kill Devil Hills.
9. **Restriction of Development within Areas Up to Five Feet Above Mean High Water:** The Town supports the restriction of development within areas up to five feet above mean high water susceptible to sea level rise and wetland loss.
10. **Upland Excavation:** The Town supports properly permitted excavation of upland areas for marina basin development.
11. **Bulkheads:** The Town supports the continued construction of properly permitted estuarine bulkheads, but does not favor issuing bulkhead permits where substantial wetlands loss is imminent.
12. **Flood Plain Management:** The Town supports the concept and practice of flood plain management and participation in National Flood Insurance Program Community Rating System.
13. **Duneplowing and Revegetation:** The Town supports the construction and revegetation of ocean-front sand dunes and opposes the mining of inland dunes.
14. **Areas of Archaeological or Historical Significance:** The Town supports the protection of identified areas of archaeological or historical significance.

RESOURCE MANAGEMENT ISSUES

1. **Agriculture, Forestry, Mining, Fishing, and Recreation:** The Town supports and encourages recreational activities including fishing and discourages commercial agriculture, forestry, and mining.
2. **Mineral Production Areas:** The Town opposes any mining activities within Town limits.
3. **Fisheries and Nursery and Habitat Areas:** With the exception of channel and maintenance dredging activities, the Town supports the protection of commercial and recreational fisheries, nurseries, and habitat areas.
4. **Wildlife Management:** The Town supports the concept of wildlife management within Town limits.
5. **Off-road Vehicles:** The Town supports seasonal restrictions on beach driving.

ECONOMIC AND COMMUNITY DEVELOPMENT ISSUES

1. **Residential, Commercial, Industrial, and Institutional Development:** The Town supports the concept of repackaging commercial development to make it more attractive and compatible with the residential character it strives to preserve.

2. **Architectural Review Standards:** The Town supports architectural standards for new development and uniform residential and non-residential structural designs for other than single family dwellings and duplexes. It also supports the concept of incentives for architectural enhancements. The Town will develop language for inclusion into the zoning ordinance to encourage the use of Outer Banks traditional building styles.
3. **Industrial Development:** The Town supports Federal and State legislation to recognize tourism as a desired industry.
4. **Service Provision to Development:** The Town supports exactions and impact fees from developers for services and infrastructure improvements which they require and as necessary to address impacts created by development.
5. **Uniform Planning Corridor Overlays and Interjurisdictional Regulatory Consistency:** The Town supports the concept of a uniform planning corridor to include an overlay district providing consistent sign, lighting, and landscaping regulations for the length of U.S. 158 throughout Dare County.
6. **Redevelopment:** The Town supports redevelopment of developed areas only after the review of any redevelopment plans for consistency with the Town's land use strategy. With respect to redevelopment of non-commercial land fronting on U.S. 158, the Town shall encourage the preservation of existing residential land use along those portions of U.S. 158 not zoned commercial.
7. **State and Federal Programs:** The Town supports interaction with Federal and State legislators and staffs to promote the exchange of ideas and information regarding issues that will effect the Town.
8. **Beach Erosion and Beach Nourishment:** The Town supports long term efforts to maintain and enhance the public trust beach through the funding of a beach nourishment project using Federal, State, and local funds. The Town supports Dare County=s efforts in a storm protection project involving Kill Devil Hills, Kitty Hawk, and Nags Head. It also favors non-structural responses to erosion such as relocation and/or acquisition of existing endangered structures, setbacks for new construction, and measures as may be necessary as interim temporary remedial action to protect property endangered due to erosion so severe that non-structural responses are impractical or ineffective. It is the Town's position that individual property owners should bear the cost of site specific protection measures and mitigation costs when such measures cause damages to public beaches and down drift property owners. Also, the Town supports long term effort to maintain and enhance the public trust beach through funding of a beach nourishment project using Federal, State, and local funds.

9. **Channel Maintenance:** The Town supports channel maintenance activities in surrounding waters; particularly at the Dock Street public boat ramp and including partial local funding when necessary. It supports Federal, State, and local efforts for navigational dredging projects. The Town opposes permit denial for navigational dredging projects if such denial is based on the presence of submerged aquatic vegetation.
10. **Outer Continental Shelf (OCS):** The Town is opposed to any offshore exploration for or production of oil or natural gas in the vicinity of the Outer Banks. Such activity would be incompatible with the Town, its established tourist industry, fishing industry, and the preservation of natural and public trust areas -- all particularly dependent upon uninterrupted ocean and groundwater of the highest quality.
11. **Energy Facilities:** The Town opposes the placement of public and multi-service energy facilities other than carefully planned substations within Town borders and supports the placement of utility lines underground.
12. **Tourism:** The Town supports tourism and its recognition as an industry. The Town supports measures that promote and enhance its public image.
13. **Ocean and Sound Accesses:** The Town supports the provision of access to the shores for residents and visitors of Kill Devil Hills.
14. **Basin-wide Watershed Planning:** The Town supports the concept of basin-wide watershed planning but reserves the right to comment on implementation measures that may result from such studies.
15. **Recycling:** The Town supports the current system of a centralized drop-off center and study of curbside recycling.
16. **Consolidation:** The Town supports consolidation of services through interlocal agreements and contracts when services can be provided more cost efficiently through such agreements.
17. **Water Facilities:** The Town supports the economical and efficient provision of potable water to its citizens and the construction and maintenance of facilities as necessary. It supports the continued reliance on the Dare County Water Department for providing water. The Town will work with Dare County to study additional and alternative water sources.
18. **Water Conservation:** The Town supports voluntary water conservation measures and the concept of government incentives for retrofitting older structures to accomplish this goal.
19. **Sewer Facilities:** The Town supports the establishment of a community-wide wastewater treatment facility within the Government and Institutional zone without surface water

- discharge of effluent. The Town supports periodic or regular inspections of private septic systems.
20. **Signs:** The Town supports the regulation of signs through Chapter 21, Zoning, of the Town Code.
 21. **Transportation - Local Streets:** The Town supports a "pay as you go" policy for the construction and improvements of streets as may be necessary to improve traffic flow and drainage and accommodate new development. The Town supports the concept of requiring those who generate the demand to pay for the local street improvements that may be necessary to provide for safe traffic movement. The Town is not opposed to the concept of alternative funding policies including special assessments. The Town supports the provision of paved shoulders and detached bicycle trails for pedestrian and bicycle traffic in predetermined areas.
 22. **Transportation - Interjurisdictional Roads:** The Town supports the 1995 Outer Banks Thoroughfare Plan, but reserves the right to comment on specific elements prior to its implementation. The Town supports the expeditious completion of the following interjurisdictional road improvement projects by the North Carolina Department of Transportation:
 - Five-laning of SR 168 to the Virginia-North Carolina line.
 - Projects necessary to mitigate drainage problems and provide pedestrian and bicycle amenities along NC 12.
 - Replace all wire and pole signals with mast arm signals.
 - Projects necessary to improve the entire SR 1217 corridor including widening to facilitate bicycle traffic.
 - Four-laning of U.S. 64 from Raleigh to the coast.
 - Construction of AGateway to Midway Bridge[@] across Croatan Sound.
 - Resurfacing/redesign/reconstruction of U.S. 158.
 23. **Short Term Rentals:** The Town supports the vigorous enforcement of rules and regulations mitigating the adverse effects of problems associated with short term rentals.
 24. **Recreation:** The Town supports the provision of adequate, accessible, and well-maintained public recreational facilities geared toward children and the year-round population. It also supports organized recreational activities.
 25. **Community Appearance:** The Planning Board will continue to serve as the Community Appearance Committee. The Committee would select recipients of Community Appearance Awards and advise the Board on methods by which the community's appearance might be improved including studies and recommendations as may be necessary to address the problem of litter on beaches and along roads.

26. **Annexation:** The Town supports the regulation of land uses of unincorporated land within one mile of the Town's jurisdictional limit and is not opposed to participating in friendly annexations if favorable to the Town.
27. **Historic Preservation:** The Town favors the identification of historic structures and the establishment of a Historic Preservation Committee to help identify such structures -- paying particular attention to the original Coast Guard Station.
28. **Housing Mix:** The Town will continue its three-tier approach to land use and housing mix, with land use west of U.S. 158 reserved primarily for detached single family residential use, restrictive zoning guidelines for land use east of NC 12 and highest and best use zoning districts between the two highways at the North and South ends of the Town.
29. **Building Heights:** The Town supports the maintenance of its traditional low-profile image and skyline by limiting oceanfront and residential district building heights to not more than 42 total feet. A maximum building height of 50 feet in the commercial and light industrial zoning districts is also supported.
30. **Health:** The Town supports the continued provision of quality, affordable health care and the construction of a full service hospital in Dare County.
31. **Education:** The Town supports the construction of additional educational facilities as may be necessary -- particularly a high school -- in Kill Devil Hills, on the Baum Tract.
32. **Capital Improvements:** The Town supports the concept of capital improvement planning.
33. **Growth:** The Town supports current regulatory efforts to maintain a moderate growth rate with a 2002-03 target permanent population of approximately 6,100 persons and a target peak population of approximately 48,000. It also supports government action to promote redevelopment and to make the Town a more desirable place to live and locate.
34. **Adult Entertainment:** The Town supports enhancements to and the preservation of its family beach atmosphere and thus limits and strongly regulates the construction, establishment, location, or operation of adult establishments within its borders or jurisdiction.
35. **Jet Skis and Personal Water Craft:** The Town supports the safe and regulated operation and use of jet skis and personal water craft in its waters,
36. **Insurance:** The Town supports measures to provide continuous affordable insurance for Outer Banks residents and property owners.
37. **Vegetation Removal:** The Town supports retaining existing vegetation on lots and parcels to the extent practicable. The Town supports regulations to require preservation of existing vegetation.

PUBLIC EDUCATION AND CITIZEN PARTICIPATION

The Town of Kill Devil Hills encourages public participation in all land use decisions and procedure development processes and encourages citizen input via its boards, commissions, and agencies.

NATURAL HAZARDS PLANNING

The Town supports the implementation, as necessary, of its Storm Hazard Mitigation and Post Disaster Reconstruction Plan.

It also supports the continued enforcement of the Kill Devil Hills Flood Damage Prevention Ordinance, the continued implementation of the area-wide street address ordinance, and the establishment of a post-disaster fund of state monies to supplement Federal disaster relief aid to be allocated to North Carolina communities that have been declared major disasters. The Town supports the continued use of procedures currently in place and the implementation, as necessary, of its Storm Hazard Mitigation and Post Disaster Reconstruction Plan. It also supports the Dare County Emergency Management Plan. The Town supports:

- annual awareness campaigns and evacuation exercises;
- bridge and road improvements as may be necessary to increase traffic flow on evacuation routes;
- continuation of a full time Emergency Management Coordinator and an annual update of the Dare County Hurricane Evacuation Master Plan and Disaster Assessment Team Personnel Roster;
- erection of evacuation route identification signs during the hurricane season;
- a back-up evacuation shelter design feature to those new public structures that may be built by the Town in the future; and,
- implementation, as necessary, of its Storm Hazard Mitigation and Post Disaster Reconstruction Plan.

! There have been no notable changes in policy (in this Update) since the 1993 Plan.

! The Town has identified and mapped four classes of land uses. The classes are:

- Developed
- Limited Transition
- Community
- Conservation

! Developed: Lands in this classification provides the setting for the most intensive levels of development in Kill Devil Hills. Most basic public services are available in this class and permissible housing densities and

commercial uses are the most liberal available in Kill Devil Hills.

- ! Limited Transition: The characteristics of this land make it suitable for future development without the potential for the loss of irreplaceable natural resources. In Kill Devil Hills, lands in this class include the Baum Tract, which is owned by the Town, Dare County, Board of Education, State of North Carolina and private interests.
- ! Community: Generally, this classification applies in the Town's developed residential areas including the oceanfront and the scenic area for the Wright Brothers Memorial west of U.S. 158.
- ! Conservation: The purpose of the conservation class is to provide for effective long-term management and protection of significant, limited, or irreplaceable areas. Generally, lands in this classification are found in the maritime forest and the Wright Brothers National Historic Site.
- ! This Update includes maps showing:
 - S existing land use;
 - S zoning districts;
 - S stormwater management system;
 - S flood zones;
 - S soil types;
 - S areas of environmental concern (AEC) and fragile areas;
 - S areas of archaeological or historical significance/shoreline access locations; and
 - S land classification

I. INTRODUCTION

A. Authority to Plan

One of the basic purposes of North Carolina's Coastal Area Management Act (CAMA) is to establish a state management plan that is capable of rational and coordinated management of coastal resources. CAMA recognizes that the key to more effective protection and use of the land and water resources of the coast is the development of a coordinated approach to resource management. CAMA provides two principal mechanisms to accomplish this purpose. First, the formulation of local land use plans articulating the objectives of local citizens and translating these objectives into future desired land use patterns; and second, the designation of areas of environmental concern for the protection of areas of statewide concern within the coastal area.

CAMA establishes a cooperative program of coastal area management between local governments and the State. Land use planning lies at the center of local government's involvement. Subchapter 7B - Land Use Planning Guidelines of the North Carolina Administrative Code, (03/06/96) were promulgated for the purpose of assisting localities with the preparation of land use plans and sets forth general standards for their review.

Both the development of local land use plans and the designation and regulation of critical resource areas contributes to rational management by encouraging local and state governments to exercise their full authorities over coastal resources and to express their management goals on a comprehensive and uniform manner. Local objectives benefit through their incorporation into a state management scheme, and the statewide objectives of resource protection and development benefit through an integrated and comprehensive management approach. It is the purpose of the state guidelines to ensure this uniformity and consistency in the local land use plans and the regulation of critical resource areas, or areas of environmental concern (AECS), through the establishment of unified policies, criteria, standards, methods, and processes.

This land use plan, when approved by the Coastal Resources Commission (CRC), will become part of the North Carolina Coastal Management Plan for the protection, preservation, orderly development, and

management of the coastal area of North Carolina -- which is the primary objective of CAMA.

B. History of Kill Devil Hills

while the first recorded accounts by a European expedition of the Southeast coast of the United States date to the early 1500's, it was not until July of 1584 that Sir Walter Raleigh's ships found the "abundant" New World known today as North Carolina's Outer Banks. Raleigh's colony was established and was lost on Roanoke Island. Successful settlement of the Banks did not come for another seventy-five years.

Colington Island, near Kill Devil Hills, was the first land grant issued in the New World by the Lords Proprietors of Carolina. A plantation settlement was soon established with crops and livestock. Abundant timber provided lumber for boats and homes, and the island's grasses were ideal to support livestock. Early settlers lived off the land, water, and salvage operations from shipwrecks.

Kill Devil Hill is the largest sand hill in the area and is now grassed over with the Wright Brothers National Memorial situated on the top. Many legends and folktales are associated with the origin of the name Kill Devil Hills or Kill Devil Hill. One account involves a legendary liquor made on the Banks and sold on the hill that was so bad it would "kill the devil."

Another is the story of an Outer Banks Hermit known as "Fresh Pond Will" who vowed to give the devil his soul for a bag of gold. The tale goes on to explain how Fresh Pond Will tricked the devil to fall to his death into a pit of quicksand, a trap that Will had prepared previously, thus "killing the devil on the hill."

Livelihoods of the early inhabitants, or "bankers," included scavengers, boat builders, fishermen, coast guardsman, pilots, and lumbermen. By 1878, the Federal government had constructed a lifesaving station in Kill Devil Hills. The Wright Brothers made history in 1903 with the first successful heavier than air powered flight at Kill Devil Hills. This event is marked by a monument made of granite, sixty-one feet in height. Designed also as an aid to navigation, the landmark is known as the Wright Brothers National Memorial.

By the time the first post office was established in Kill Devil Hills in 1938, it was clear the area had a

future of tourism and cottage development. The Town of Kill Devil Hills was incorporated in 1953.

Kill Devil Hills is located within Dare County. Its neighbors to the north are the towns of Kitty Hawk and Southern Shores. Its neighbor to the south is the Town of Nags Head.

Kill Devil Hills is a resort community of approximately 5,130 residents with a peak seasonal population of about 40,000. Development is mostly single family cottages but also includes resort accommodations, restaurants, and other commercial services necessary to meet the needs of the area's year round and seasonal population.

SOURCES: 1993 Town of Kill Devil Hills Land Use Plan Update, North Carolina Office of State Planning, State Data Center, and Staff Estimates.

II. GOALS AND OBJECTIVES

The Board of Commissioner=s aims for the character of this land use plan update are:

- X Produce a user-friendly, policy oriented document.
- X Establish action deadlines where applicable.
- X Promote substantial and meaningful interaction in the planning process by governmental agencies with programs, regulations, and rules that impact the Town through interagency review of this document.
- X Encourage open review and debate of issues, policies, and implementation strategies at Board meetings during plan update.
- X Involve the Board of Commissioners throughout the planning process.
- X Involve the Planning Board throughout the planning process.
- X Develop strategies to promote appropriate development and redevelopment in the Town.

The Board adopted a Mission Statement in 1996, much of which involves land use planning issues and goals. The Board, as a part of its mission, is intent on efforts to foster civic pride by enhancing the natural beauty of the area such as the:

- X Promotion of public perception.
- X Promotion of family values and beach atmosphere.
- X Maximizing value of taxpayer dollars (fiscal responsibility).
- X Protection and accessibility of our natural resources.

In addition, the Board recognizes and supports State objectives and local application of CAMA goals in the update process and in policy implementation. These include efforts:

- X to further define and refine local policies and issues;
- X to further examine and refine the land classification system and map;

- X to assess the effectiveness of the existing land use plan and its implementation;
- X to further explore implementation procedures; and,
- X to promote better understanding of land use planning.

III. DATA COLLECTION AND ANALYSIS

A. Establishment of Information Base

1. Introduction

This document was prepared utilizing existing local plans and studies as well as information provided by Federal, State, regional, and private agencies.

Policy development and the analysis of anticipated future conditions relied heavily on a review of 1993 land use policies and citizen input. Citizen input was generated through public forums and through a citizen survey. A Public Education and Citizen Participation Plan was adopted by the Town. See APPENDIX 2.

2. 1997 Town of Kill Devil Hills Public Opinion Survey

Prepared by the Planning Board, Town staff, and consultant, APPENDIX 3 summarizes the responses generated from the 1997 Town of Kill Devil Hills Public Opinion Survey.

The results of the survey indicate a general satisfaction concerning Town services and development patterns.

3. Review of 1993 Town of Kill Devil Hills Land Use Plan

a. Introduction

Rule .0202(a)(3) - Data Collection and Analysis, Subchapter 7B, of the North Carolina Administrative Code, (03/06/96), requires a locality to ". . . analyze how effectively it has implemented its policies as contained in its current plan of record."

Further, this evaluation should occur at the beginning of the planning process and "should include statements as to what improvements the local government intends to make in this plan update."

b. Policies Selected and Implementation Analysis

On September 13, 1993, the Kill Devil Hills Board of Commissioners adopted policies and implementation strategies as a part of the 1993 Town of Kill Devil Hills Land Use Plan (1993 Plan). The land use issues, for which these policies and implementation strategies apply, were grouped generally into four major categories with specific issues identified for closer analysis. The five major issue categories are:

- ! Resource Protection;
- ! Resource Management;
- ! Economic and Community Development;
- ! Public Participation; and,
- ! Natural Hazards Planning.

Each specific issues section included "Policies Considered," "Discussion," "Policy Selected," and "Implementation Strategy." The Town Planning Board reviewed these policies and analyzed the Town's implementation efforts as of 1997. The findings, as summarized in the respective issue areas= BACKGROUND discussion, provide the foundation upon which policies driving 1997 Town of Kill Devil Hills Land Use Plan Update are developed.

c. Comparison of 1993 Land Use Policies to Policies of Adjoining Townships

During the policy discussion process, the Town compared its land use policies to those of Kitty Hawk, Nags Head, and Dare County as found in their land use plans of record. Generally, the three localities adopted land use policies that were consistent with each other except for support of a community-wide sewer system and with respect to building heights. Kill Devil Hills, unlike Kitty Hawk and Nags Head, supports a community-wide sewer system. Also, Kill Devil Hills allows building heights of up to 50' in commercial zoning districts.

The Town's Director of Planning and Development met with other area planning professionals at quarterly, area-wide planning luncheons to discuss land use planning and routinely discusses land use

policy issues with the planning directors and/or planner of Kitty Hawk, Manteo, Southern Shores, Dare County and Nags Head.

These meetings and discussions focused on land use planning issues and policies of the Outer Banks localities.

d. Improvements Anticipated in 1997 Town of Kill Devil Hills Land Use Plan Update

The Town has made significant strides in directing its growth and maintaining quality service delivery systems. To promote and guide continued orderly development, improvements to the 1997 Town of Kill Devil Hills Land Use Plan Update include:

- ! the establishment of action deadlines where applicable;
- ! the promotion of substantial and meaningful interaction in the Kill Devil Hills planning process by governmental agencies with programs, regulations, and rules that impact the Town through interagency review of the land use plan; and,
- ! the encouragement of open review and debate of issues, policies, and implementation strategies through the use of a round table meeting format at planning board meetings during plan update.

B. Present Conditions

1. Introduction

Published information, field reviews, and estimates were used to prepare the following sections describing Kill Devil Hills at present and during the recent past.

2. Population

The 1990 population of Kill Devil Hills was 4,238. There were 2,158 males and 2,080 females. The median age was 32.2 years. The population of Kill Devil Hills is predominantly white (+98%).

An estimated 51% of the Town=s population is between the ages of 18 and 44 years. About 20%

of the population is younger than 18 years, while about 15% are over 65 years.

Kill Devil Hills continues to experience population growth. The North Carolina Office of State Planning, State Data Center, estimates the Town=s 1995 population to be 4,836; an increase of 14.1% since 1990. The provisional population estimate from the State places the Town=s 1996 population at 5,130, an increase of 892 since 1990, or an average annual increase of about 3% during the period. The peak population is estimated to be about 40,000.

TABLE 1 provides a comparison of 1980 and 1990 population totals and the 1994 population estimates for selected Outer Banks localities and percentages of population growth.

TABLE 1

Comparison of 1980 and 1990 Populations
and 1994 Population Estimates
for Selected Outer Banks Localities and Percent of Growth

Locality	1980 Populati on	1990 Populati on	1994* Populati on	Percent of Growth
Kitty Hawk	849	1,937	2,170	+ 156%
Kill Devil Hills	1,671	4,238	4,836	+ 189%
Manteo	902	991	1,103	+ 22%
Nags Head	1,020	1,838	2,036	+ 99%
Southern Shores	520	1,447	1,634	+ 214%
Dare County	13,377	22,746	24,790	+ 85%

*Note: Estimates by North Carolina Office of State Planning.

SOURCE: 1990 Census of Population and Housing, U.S. Department of Commerce, Bureau of the Census, and North Carolina Office of State Planning.

In 1990, there were 1,129 families in Kill Devil Hills. The median family income was \$30,325 while the median household income was \$26,379. The per capita income was \$13,457.

3. Economy

The economy of Kill Devil Hills relies primarily on tourism as its main industry. Some light industry, including storage and warehouse facilities and an ice producing plant, are located near the Fresh Pond. In 1996-97, tax revenues from all sources totaled \$6,915,389. TABLE 2 provides a breakdown of tax revenue by source and an indication of the Town's reliance on tourism related revenue sources.

TABLE 2

General Fund Revenues For Fiscal Year Ended July, 1997
Town of Kill Devil Hills, North Carolina

Revenues and Other Financing Sources	Amount	Percent of Total
Ad valorem taxes	\$3,202,829	46.3
Other taxes and licenses	2,188,396	31.6
Permits and Fees	125,408	1.8
Investment earnings	190,684	2.8
Sales and services	22,376	0.3
Intergovernmental	770,897	11.1
Transfer from water fund	210,000	3.0
Lease Proceeds	170,461	2.5
Other revenues	34,338	0.5
TOTAL	\$6,915,389	100.0

SOURCE: Department of Finance and Tax, Town of Kill
Devil Hills, North Carolina.

4. Existing Land Use

Since the development of the 1993 Plan, no major subdivisions have been reviewed. Since 1993, minor subdivisions and boundary adjustments have occurred routinely.

From fiscal year 1992-93 through June 30, 1997, 22 permits for new commercial construction were issued while permits for new residential construction totaled 332. During the same period, permits for additions, alterations, and conversions to commercial buildings numbered 230 with another 607 permits for like activities to residential structures.

The Town is primarily a residential resort community. However, recent trends show movement

toward increased construction of lodgings and accommodations and structures normally associated with a service economy. Each summer the Town's population swells to a seasonal peak population (year round residents and visitors) estimated in excess of 40,000, a substantial increase over the 1996 population estimate of 5,130.

In September 1997, the Town planning staff prepared an existing land use map based on aerial photographs, field research, and existing maps. See MAP 1.

Presently, 95-98% of the private land in Kill Devil Hills with development potential has been platted. There are approximately 6,860 platted parcels in Town and approximately 3,800 total acres. The 333 acre Baum Tract is being developed with public facilities. None of this tract is expected to be used for residential development.

Land use patterns in Kill Devil Hills reflect the orientation of the community to the Atlantic Ocean shoreline and the economic base provided by tourism. The immediate oceanfront in Kill Devil Hills provides the setting for a number of hotels, motels, and condominium projects, most of which were constructed from 1970 - 1980. Some of the older "motor court" motels date back to the 1960's. Since 1980, changes in regulatory policies and amendments to the Town's zoning ordinance have reduced the scale of oceanfront structures and created a market for residential structures suitable for year-round living or seasonal rental accommodations. This oceanfront district is best defined by NC 12 (Virginia Dare Trail), popularly referred to as the "Beach Road," and all land that lies to the east of Virginia Dare Trail.

On the west side of Virginia Dare Trail, a second tier of residential structures has developed. Due to their proximity to the Atlantic beaches, these structures have traditionally served as second homes for many of the Town's seasonal residents. These cottages also provide seasonal accommodations for tourists when not occupied by the owner.

In the late 1960's and early 1970's, a second major transportation route, U.S. 158 (Croatan Highway) began to impact land use patterns in

Kill Devil Hills. By 1974, the Board of Commissioners had established a strip of commercial zoning approximately 300 feet deep on both the eastern and western sides of the U.S. 158 right-of-way. Since then, a growing food-service industry has emerged along U.S. 158 in Kill Devil Hills, particularly on its southern border. An average daily traffic flow in excess of 15,000 vehicles during the peak seasonal population surge has helped establish this section of Kill Devil Hills as the commercial hub of the northern beaches of Dare County. In 1983, the Town rezoned the majority of lands between NC 12 and U.S. 158 into a commercial zoning district, removing the land use restrictions that had applied to this formerly residential setting. Today, ample land is available for transition into commercial uses between NC 12 and U.S. 158 at the northern and southern ends of Town. A residential district in the vicinity of the Wright Brothers National Memorial is intended to serve as a residential buffer between the two commercial districts. Zoning guidelines in the commercial district also permit multi-family residential housing at liberal density ratios, providing a setting where the potential for conflict with single family neighborhoods is minimal. From time to time, business or commercial uses and residential uses come into conflict, primarily due to actions of individuals.

Several single family residential subdivisions align the western side of U.S. 158 extending throughout almost the entire length of the Town.

These subdivisions vary in lot size from 5,000 square feet in Avalon Beach, one of the oldest subdivisions in Kill Devil Hills, to 15,000 square feet in Wright Woods, one of the newest. The majority of the Town's year-round residents live west of US 158, which is subject to the Town's most prohibitive zoning classification, Residential Low Density (RL).

5. Community Facilities

Community facilities adequately meet the current needs of the citizens of Kill Devil Hills. The Town completed and opened its Administrative Services Building in 1988. Also, two new schools, First Flight Elementary and First Flight Middle School opened in the 1991-92 school year.

Community facilities are discussed in greater detail in Section 10, pages III-23 through III-26.

6. Transportation

Many of the current transportation system needs of Kill Devil Hills are being met or have been planned for by the Town or the North Carolina Department of Transportation. There are approximately 51.5 miles of hard surfaced roads and about 5.4 miles of gravel, soil, or stone roads in the Town.

7. Housing and Accommodations

There are approximately 4,400 single family structures in Kill Devil Hills, 840 multi-family dwellings, and over 1,600 motel/hotel rooms in the Town. At present, the private sector adequately meets the housing and accommodation needs of the citizens of Kill Devil Hills.

8. Current Plans and Regulations

a. Introduction

The Town of Kill Devil Hills uses the police power vested in the Board of Commissioners to enforce a number of growth management guidelines. The Town also maintains a professional staff to administer these guidelines and various advisory groups to develop plans and make recommendations to the Board concerning land use and growth management.

b. Kill Devil Hills Town Code, Chapter 19, Subdivision Regulations

Chapter 19 of the Town Code provides guidelines for the subdivision or recombination of parcels of land in Kill Devil Hills. Minimum standards for subdivision plat preparation, review, and recordation are set forth in this chapter.

c. Kill Devil Hills Town Code, Chapter 21, Zoning

Chapter 21 of the Town Code provides local guidelines for land use through the

establishment of zoning districts. Permitted and prohibited uses for each zoning district are defined in this chapter, as are the minimum lot sizes, maximum building heights, population density ratios, minimum yard setbacks, and other appropriate guidelines.

The Town's first zoning ordinance was adopted on June 4, 1953. In 1974, the Board of Commissioners adopted a more extensive zoning ordinance and official zoning map. Since that time, the text of the zoning ordinance has been amended and changes to the zoning map have been recorded. From 1983 to 1985, a comprehensive rezoning master plan was implemented. In November, 1991, the text of the zoning ordinance was modified, thereby completing this effort. See MAP 2.

The two major transportation routes serving the Town, NC 12 (Virginia Dare Trail) and U.S. 158 (Croatan Highway), were the primary factors influencing the development of the Town's approach to zoning. These two highways have become borders that identify patterns of land use and geographic sub-regions.

The Town has been divided into distinct geographical sub-regions with associated zoning districts. The oceanfront district sub-region and land west of U.S. 158 are subject to rather strict development guidelines. The commercial district sub-region provides a setting where a wider range of uses are permitted and where land use guidelines are considerably more liberal than elsewhere in the Town. These sub-regions and the residential district sub-region are briefly described as follows:

- ! Oceanfront District Sub-Region - This sub-region includes all land east of NC 12 and comprises the Ocean Impact Residential (OIR) Zoning District. This zoning district, created in 1985, is designed to provide a residential setting for seasonal accommodations and

upscale year-round living. Housing densities and building heights are restricted in an effort to discourage the location of high-rise, bulk immovable structures along the immediate shoreline. As the name indicates, the Ocean Impact Residential Zoning District is a special sub-region with unique constraints associated primarily with its proximity to the Atlantic Ocean and public beaches.

! Commercial District Sub-Regions - These sub-regions include lands west of NC 12 to 300 feet west of U.S. 158. The majority of these lands lie between the two highways on the northern and southern borders of the Town. A residential buffer in the vicinity of the Wright Brothers National Memorial separates these commercial district sub-regions. The Commercial Zoning District represents the Town's "highest and best use" district, where a variety of compatible commercial and residential uses are permitted. Housing densities and maximum building height limitations are considerably more liberal in this zoning district, primarily to encourage bulk immovable structures to locate in a setting less vulnerable to the forces of the Atlantic Ocean. This sub-region is also designed to provide the base for two central accommodations and service districts that are emerging in Kill Devil Hills.

! Residential District Sub-Region - This sub-region is designed to provide a setting for single-family residential structures and low density multi-family development as a conditional use. Generally speaking, this land lies west of U.S. 158 and between the two highways in proximity to the Wright Brothers National Memorial. Most of this land has already been platted into a number of subdivisions that reflect a variety of minimum lot sizes. These subdivisions have evolved in conjunction with prescribed minimums

for the use of septic tanks and gravity induced nitrification drainfield wastewater treatment systems. The majority of the Town's year-round population lives in this sub-region.

In addition, there is a Light Industrial Zoning District designed primarily for light industrial services and the bulk storage of dry goods adjacent to the Fresh Pond, where environmental constraints restrict or prohibit the use of septic tank wastewater systems.

Consistency between the Town Code and the land use policies contained in this update has been achieved where possible. The Town will continue to work toward the goal of total consistency between the two.

d. Kill Devil Hills Town Code, Chapter 8, Flood Damage Prevention Ordinance

All areas of special flood hazard within the Town as identified by the Federal Emergency Management Agency's (FEMA) on its Flood Insurance Rate Map (FIRM) 375353B, April 12, 1993, are regulated. The Town's building inspector administers the ordinance.

The purpose of the ordinance is to minimize public and private losses due to flooding conditions in specific areas. This purpose is accomplished by restriction or prohibition of certain uses, the control of alterations to natural flood plains, channels, and barriers, and the control of filling, grading, and some dredging. The objectives of the ordinance are to maintain a stable tax base and to ensure that potential home buyers are notified that property is in a flood area.

e. Town of Kill Devil Hills Stormwater Management Plan Update, 1988

In 1983, the Town commissioned a study to identify its storm water management problem areas and to develop a management plan for coping with them. The Stormwater Management Plan Update, 1988 describes the progress towards implementing the 1983 stormwater

management plan, documents existing and buildout conditions, identifies alternatives and viable combinations for managing stormwater and improving receiving water quality, and lists recommendations, priorities, and estimated costs. See MAP 3.

f. Town of Kill Devil Hills 1998 Shoreline Access Plan Update

Kill Devil Hills commissioned the preparation of a shoreline access master plan in 1979. In 1990 and 1998, the Town updated this plan to assist its users with the development of shoreline access through the year 2000. Included in the update is an inventory of accessways, goals and objectives, funding considerations, scheduling, and project prioritization.

g. Town of Kill Devil Hills Recreational Facilities Plan Update, 1997

In 1989, Kill Devil Hills commissioned a recreational facilities plan including facilities recommendations with priorities and costs, facilities inventory, and goals and objectives. Completed in 1997, the Recreational Facilities Plan Update further defined projects and priorities and provided detailed mapping and cost estimates.

h. Site Plan Review

Chapter 21 of the Town Code requires the submission of site plans for all commercial development projects and all multi-family residential development projects in excess of a quadraplex. It also establishes a two-tier approval process requiring review and recommendation by the Town's Planning Board and approval for construction by the Board of Commissioners. Minimum standards for site plan preparation, review deadlines, and a coordinated State-local permit process are defined by ordinance.

1. Capital Improvement Plan

In 1997, the Town developed its first Capital Improvement Plan. The plan was formatted and intended to be a dynamic document which will effectively serve the

Town for fiscal decisions and planning purposes henceforth. The Plan will be reviewed and updated annually during the months leading up to budget preparation in the Town. The planning process envisioned will involve the creation of a capital improvement plan committee which will interact with the Board of Commissioners, Planning Board, Town staff, and citizenry to determine capital needs and plan for paying for their construction or purchase.

10. Storm Hazard Mitigation and Post-Disaster Reconstruction Plan

The purpose of the Storm Hazard Mitigation and Post-Disaster Reconstruction Plan is to establish procedures and actions to reduce the potential for loss of life, minimize damage to property, and to provide a framework for orderly construction in the event of a hurricane or other natural disaster. Copies of the plan are available in the Town's Planning and Development Department.

9. Constraints to Development and Land Suitability

a. Introduction

Field reviews, technical documents, maps, and inventories aid in the analysis of the general suitability of the undeveloped lands within Kill Devil Hills. Such analysis must consider physical limitations for development, areas of environmental concern and fragile areas, and areas with resource potential.

b. Physical Limitations for Development

(1) Man-Made and Natural Hazard Areas

Kill Devil Hills contains one notable man-made hazard area -- the landing strip at the Wright Brothers National Memorial. The Town Fire Department and Dare County Emergency Medical Services

have adopted disaster contingency plans.

Flooding is the most common natural hazard faced by the Town. The dominant source of flooding in Kill Devil Hills is storm surge generated in the Atlantic Ocean by tropical storms, northeasters, and hurricanes. In addition, this surge propagates into Albemarle Sound, Buzzard Bay, Colington Creek, and Kitty Hawk Bay where high winds can produce intense wave action.

The wave action associated with storm surge can be damaging as can the higher water level. Historically, storms passing North Carolina in the vicinity of Kill Devil Hills have produced severe flooding as well as structural damage.

As previously noted, the Town has developed and adopted a Storm Hazard Mitigation and Post-Disaster Reconstruction Plan. The document is not an emergency operations plan. Such plans are prepared by the Town and County to respond on a short-term basis to crisis situations ranging from hazardous waste spills to major storm events. These plans are operational in nature. The Storm Hazard Mitigation and Post-Disaster Reconstruction Plan is a long-term plan setting forth policies and preventive actions which the Town can act upon now to help mitigate the construction caused during a major storm event. This plan sets forth post-storm policies and standards to guide reconstruction in a pre-planned, orderly way. Such reconstruction could take months or even years to complete, depending upon the severity and ultimate impact of the storm.

The Federal Insurance Administration has created the Community Rating System (CRS) as an integral part of the National Flood Insurance Program. The goals of the CRS are to encourage -- by the use of flood insurance premium adjustments -- community and State

activities beyond those required by the National Flood Insurance Program to:

- ! reduce flood losses;
- ! facilitate accurate insurance rating; and,
- ! promote the awareness of flood insurance.

Flood hazard areas have been mapped and the 10-year coastal floodplain identified on the Flood Insurance Rate Map for the Town. The 100-year floodplain is the area that will be flooded on the average of once every 100 years. It has a 1% chance of being flooded in any given year. Put another way, it has about a 25% chance of being flooded over the life of a 30-year mortgage. Smaller floods have a greater chance of occurring in any year and can still create a significant flood hazard to people and property. Maps are available for viewing at the Kill Devil Hills Planning and Development Department and the Dare County Library. A generalized map is included in this Update. See MAP 4.

All properties located in "Zone A" or "Zone V" on the Town's Flood Hazard Boundary Map or Flood Insurance Rate Map are subject to regulations. Before undertaking development in "Zone A" or "Zone V", a builder must secure a permit from the Town. Development activities subject to these regulations are any man-made change to improved or unimproved real estate, including but not limited to buildings, mining, dredging, filling, grading, paving, excavating, or drilling operations.

(2) Areas with Soil Limitations

Soils are a natural resource whose properties greatly influence how people use the land. Soil analyses indicate hazardous areas which development should avoid or modify. Certain soil types indicate periodic storm flooding in low-lying soundside locations.

Other soil types are associated with a high seasonal water table which can make an area unsuitable or unwise for year-round habitation. The load-bearing capacity of different soils is also important. Due to the number of structures that are built on pilings in Kill Devil Hills, the depth to which these pilings are driven must be determined through an examination of sub-soil properties to ensure the reliability of the piling foundation.

Current trends show that all of the soils in Kill Devil Hills can be modified to accommodate development, but environmental and monetary costs can sometimes be prohibitive. The costs of improperly planned soil modifications is borne not only by the developer, but also by the public since misuse of the land can lead to severe environmental problems for the entire community. Therefore, it is desirable to recognize the limitations of certain soils and to evaluate their potential or suitability for septic tanks, landfills, residential development, industrial development, recreation, and roads.

TABLE 3, which follows, shows the different types of soil found in Kill Devil Hills and some soil characteristics. MAP 5 shows the general locations of the different soil types in Town.

Soil limitation ratings refer to the soil's capacity to support dwellings, streets, and septic tank fields. A rating of "slight" means that soil properties or site features are generally favorable for the indicated use and that any limitations are minor and easily overcome. Limitations are "moderate" if soil properties or site features are not favorable for the indicated use and special planning, design, or maintenance is needed to overcome or minimize the limitations. A rating of "severe" does not preclude

possible development. However, any unfavorable conditions must be overcome by appropriate land development techniques. In all cases, on-site investigations of the soil are necessary for the proper design and placement of buildings, foundations, roads, utility lines, and septic systems.

TABLE 3

Soil Types and Characteristics in Kill Devil Hills, North Carolina

SOIL NAME	MAP SYMBOL*	SLOPE	SEPTIC TANK ABSORPTION FIELDS LIMITATIONS RATING	LOCAL ROADS AND STREETS LIMITATIONS RATING	HIGH WATER TABLE DEPTH (FT.)
Beaches-Newhan complex	BnD	0 to 25 percent slopes	Severe: poor filter	Not Rated	>6.0
Conoby muck	CnA	0 to 2 percent slopes	Severe: wetness	Severe: wetness	0-1.5
Corolla fine sand	CoB	0 to 6 percent slopes	Severe: wetness, poor filter	Moderate: flooding, wetness	1.5-3.0
Corolla-Duckston complex	CrB	0 to 6 percent slopes	Severe: flooding, wetness, poor filter	Severe: wetness, flooding	0-1.0
Currituck mucky peat	CuA	0 to 1 percent slopes	Severe: flooding, wetness, poor filter	Severe: subsides, wetness, flooding	+1-1.0
Duckston fine sand	DtA	0 to 2 percent slopes	Severe: flooding, wetness, poor filter	Severe: wetness, flooding	0-1.0
Dune land	DuE	2 to 40 percent slopes	Severe: poor filter, slope	Severe: slope	>6.0
Dune land-Newhan complex	DWE	2 to 40 percent slopes	Severe: poor filter, slope	Severe: slope	>6.0
Fripp fine sand	FrD	2 to 30 percent slopes	Severe: poor filter, slope	Severe: slope	>6.0
Hobonny muck	HoA	0 to 1 percent slopes	Severe: flooding, wetness	Severe: wetness, flooding	+1-0
Newhan fine sand	NeC	0 to 10 percent slopes	Severe: poor filter	Slight	>6.0

Newhan-Corolla complex	NhC	0 to 10 percent slopes	Severe: wetness, poor filter	Slight-Moderate	1.5-3.0
Newhan-Urban land complex	NuC	0 to 10 percent slopes	Severe: poor filter	Slight	>6.0
Osier fine sand	Osa	0 to 2 percent slopes	Severe: wetness, poor filter	Severe: wetness	0-1.0
Ousley fine sand	OuB	0 to 5 percent slopes	Severe: flooding, wetness, poor filter	Severe: flooding	1.5-3.0
Psammento	PsB	0 to 6 percent slopes	Not Rated	Not Rated	**

* See MAP 5.
** Not estimated.

SOURCE: "Soil Survey of Dare County, North Carolina," prepared by the United States Department of Agriculture, Soil Conservation Service.

In rating a soil for any limitations for dwellings, the emphasis is on its load-bearing capacity (for holding the foundation), slope, susceptibility to flooding, depth to seasonal high water table, and other hydrologic conditions. In rating a soil for limitations for roads, emphasis falls on its susceptibility to flooding, depth to seasonal high water table, texture, drainage, and ease of hauling and loading. In rating a soil for any limitations for septic tank filter fields, emphasis falls on its permeability, susceptibility to flooding, depth to water table, and slope.

The on-site disposal of septic tank effluent is a common soils problem throughout Kill Devil Hills. Many poorly drained and/or impermeable soils in the area are severely limited in their ability to accommodate septic tank effluent in a safe and sanitary manner. In some dry soils, such as dune sand, the soil is too permeable to accommodate effluent, leading to the potential for the pollution of ground waters and adjacent estuarine waters. When local officials know these problems exist, they can deal with them by adopting appropriate requirements for development, such as minimum lot sizes or centralized sewage treatment and disposal systems. Then, proper technical adjustments and innovations can often make development environmentally acceptable.

Recognizing the potential for groundwater pollution due to the proliferation of septic tank systems in Kill Devil Hills, the Town was one of four coastal North Carolina communities selected for study in the mid-1980s by the United States Environmental Protection Agency (EPA) concerning groundwater quality. This study, known as "The Impacts of Wastewater Disposal Practices on the Hydrogeology of the North Carolina Barrier Islands," established a number of test wells throughout Kill Devil Hills. Groundwater samples were taken quarterly and analyzed for the presence of a number of contaminants that could be traced to septic origins. Briefly summarized, the

results of this study indicate that at present population density, levels of groundwater contamination due to septic tank effluents have not exceeded acceptable parameters as established by the EPA. The Town and the Dare County Health Department have assumed responsibility for the monitoring wells now that the study has been completed.

(3) Water Supply Sources; Estimated Quality and Quantity

Kill Devil Hills relies on three primary water sources. These are:

- ! deep wells in Skyco on Roanoke Island;
- ! Fresh Pond; and,
- ! Reverse Osmosis Plant.

The Town's allocation is 3 million gallons per day. Currently, peak water demand is approaching 2 million gallons per day.

(4) Areas Where Predominant Slope Exceeds Twelve Percent

Areas in Kill Devil Hills where the predominant slope exceeds twelve percent include:

- ! Wright Brothers National Memorial;
- ! Run Hill;
- ! frontal and primary dunes along the oceanfront; and,
- ! dunes with vegetative cover in the maritime forest.

c. Areas of Environmental Concern (AEC) and Fragile Areas

Under the Coastal Area Management Act (CAMA), North Carolina's Coastal Resources Commission (CRC) has designated a number of areas of environmental concern (AEC) in order to protect the State's valuable natural resources. Seven types of AEC's in three categories are found in Kill Devil Hills. These are:

Estuarine System AEC's

- ! Estuarine Waters
- ! Coastal Wetlands
- ! Public Trust Areas
- ! Estuarine Shorelines;

Ocean Hazard AEC's

- ! Ocean Erodible Areas
- ! High Hazard Flood Areas; and,

Public Water Supply AEC's

- ! Fresh Pond.

Some of these AEC's have been mapped generally for this update. See MAP 6. However, the exact location and extent of AEC's found in Kill Devil Hills are determined by on-site inspections.

Estuarine System AEC's

The lands and waters of the estuarine system possess economic and biologic values for the Town and the State. These lands and waters are interdependent and should be managed as a unit. In an effort to maintain the ecological productivity of the estuarine system, the CRC has designated individual components as AEC's and adopted guidelines for their use. These components are the estuarine waters, coastal wetlands, public trust areas, and the estuarine shorelines. All of these AEC's are found within Kill Devil Hills.

The estuarine waters AEC includes all waters of the State's bays, sounds, and streams seaward of the dividing line between coastal and inland fishing waters. In Kill Devil Hills, the estuarine waters AEC includes Kitty Hawk Bay, Buzzard Bay, and the streams draining into them.

The coastal wetlands AEC includes any salt marsh or other marsh subject to regular or occasional flooding by tides, whether or not the tidal waters reach the wetlands through natural or artificial watercourses. Coastal wetlands are important because they provide habitat and produce nutrients which serve as the primary food source for various species of fish and shellfish. The dense vegetation and root networks of the coastal wetlands also help retard shoreline erosion and trap sediments before they reach the estuarine waters. Extensive wetlands line Buzzard Bay and Kitty Hawk Bay.

The public trust AEC includes:

- ! all water of the Atlantic Ocean and the lands thereunder from the mean high water mark to the seaward limit of State jurisdiction;
- ! all other bodies of water subject to lunar tides (and the lands thereunder) below the mean high water level;
- ! all waters in artificially created bodies of water containing significant public fishing resources or other resources which are accessible to the public by navigation from bodies of water in which the public has rights of navigation; and,
- ! all waters in artificially created bodies of water in which the public has acquired rights by prescription, custom, usage, dedication, or any other means. In Kill Devil Hills, the public trust AEC covers the waters and submerged lands of the Atlantic Ocean, Buzzard Bay, and Kitty Hawk Bay.

The estuarine shorelines AEC covers non-ocean shorelines, which are typically subject to erosion, flooding, and other adverse effects of wind and water. Although estuarine shorelines are typically dry land, their proximity to estuarine waters cause them to be considered as connected to the estuary. Development along the estuarine shorelines can have a strong effect on the quality of estuarine waters, coastal wetlands, and their ability to sustain their economic and biological productivity. As defined by the CRC, the estuarine shorelines AEC extends from the mean high water level (or normal water level) along the estuarine waters AEC to a line 75 feet landward. In Kill Devil Hills, the estuarine shoreline AEC includes the entire shoreline along Buzzard Bay and Kitty Hawk Bay.

Ocean Hazard AEC's

The Atlantic Ocean shoreline is periodically subjected to erosion and other adverse effects of wind and water. Ocean Hazard AEC's include beaches, frontal dunes, inlet

lands, and other areas in which geologic, vegetative, and soil conditions indicate a substantial possibility of erosion and flooding. Incompatible or poorly positioned development within these areas may create the potential for damage to life and property. In Kill Devil Hills, the two types of ocean hazard AEC's are ocean erodible areas and high hazard flood areas.

The ocean erodible AEC includes that area in which there exists a substantial possibility of significant erosion and shoreline fluctuation. The seaward boundary of this area is the mean low water line. The landward boundary of this area is determined by a combination of:

- ! a distance from the first line of stable natural vegetation to the recession line established by multiplying the long-term annual erosion rate by 60; provided that, where there has been no long-term erosion or the rate is less than two feet per year, this distance shall be set at 120 feet landward from the first line of stable natural vegetation; and,
- ! the distance landward from the above recession line to a second recession line that would be generated by a storm having a one-percent chance of being equaled or exceeded in any given year.

The high hazard flood AEC is the oceanfront area subject to flooding and high velocity waters (including wave wash) in a storm having a one-percent chance of being equaled or exceeded in any given year, and indicated as Zones V1-V30 (known as "V zones") on the Flood Insurance Rate Maps (FIRM) established by the Federal Flood Insurance Administration.

The Coastal Area Management Act includes guidelines covering uses of and development in areas of environmental concern, with separate guidelines for the different categories of AEC's designated by the Coastal Resources Commission.

In estuarine waters AEC's, the highest priority of use is the conservation of estuarine waters. Secondary priority rests with those types of development that require access to the water and cannot function elsewhere. Such development includes navigation channels, simple access channels, erosion control structures, boat docks, marinas, piers, wharves, and mooring pilings.

Similarly, in coastal wetlands AEC's, the use with the highest priority is the conservation of wetland, with secondary priority going to water dependent activities. Uses which are unacceptable in coastal wetlands AEC's include, but are not limited to, restaurants, homes, hotels and motels, trailer parks, parking lots, private roads and highways, and manufacturing plants. Acceptable uses include utility easements, fishing piers, docks, and agricultural uses as permitted under applicable statutes.

In public trust AEC's, no use is allowed which significantly interferes with the public's right of navigation or other public rights which exist there. Uses that may be acceptable within public trust AEC's, provided that they will not be detrimental to public trust rights and the biological and physical functions of the estuary or ocean, include the development of navigational channels and drainage ditches, the use of bulkheads to control erosion, and the construction of piers, wharves, and marinas. Uses that are not acceptable in public trust AEC's are those which directly or indirectly impair or block existing navigation channels, increase shoreline erosion, deposit spoils below mean high tide, create adverse water circulation patterns, violate water quality standards, or degrade shellfish waters and beds.

In estuarine shorelines AEC's, no uses are absolutely prohibited. However, any development that occurs within the estuarine shoreline AEC is to be compatible with both the dynamic nature of the estuarine

shorelines and the economic and biological productivity of the estuarine system.

In ocean erodible AEC's and high hazard flood AEC's, the CRC's guidelines carry out their mission of protecting the line of oceanfront sand dunes by enforcing the oceanfront setback lines, keeping structures behind the crests of frontal and primary dunes, and prohibiting the relocation or removal of these dunes and their vegetation.

The guidelines for these areas include standards for construction to be designed and located to minimize damage due to fluctuations in ground elevation and wave action in a storm that has a one-percent probability of being equaled or exceeded in any given year.

In the public water supply AEC, the use of underground septic tank and drain field wastewater systems is prohibited within a 500' perimeter of the high water mark of the Fresh Pond. Between 500' and 1,200', septic tank systems are limited to a capacity not greater than the equivalent of a four-bedroom single-family residence and must include a land area of at least 40,000 square feet. In addition, all land clearing, grading, surfacing, and other land disturbing activities within 1,200' of the Fresh Pond AEC must conform with applicable guidelines dealing with erosion and pollution control and CAMA. Fragile areas are shown on MAP 6.

In addition, other fragile areas in Town are Run Hill and the National Park Service property. Run Hill is one of the last, live sand dune formations of significant size on the Outer Banks. It is connected to the maritime forest and is part of the barrier island dune system. The United States Department of Interior, National Park Service controls a 427.77 acre parcel in the center of Town which is the site of the Wright Brothers National Memorial and houses a museum, visitor center, and support structures. For discussions of issues related to other fragile areas including archaeological and historical sites and wetlands as classified by Section 404 of the

Clean Water Act, see Chapter IV, C, numbers 2a, 2b, and 12 on pages IV-3 and IV-4, and IV-11 respectively.

d. Areas with Resource Potential

The North Carolina Division of Water Quality assigns water quality classifications to all waters of the State. The classifications are based upon the existing or contemplated best usage of the various streams and segments of streams within a basin, as determined through studies, evaluations, and comments received at public hearings. The State classifies tidal salt waters as follows:

Class SA: shellfishing for market purposes and any other usage specified by the ASB@ and ASC@ classification;

Class SB: primary recreation and any other usage specified by the ASC@ classification;

Class SC: fish and wildlife propagation, secondary recreation, and other uses requiring waters of lower quality.

The waters of the Atlantic Ocean carry the ASB@ water quality use classification. The waters of Kitty Hawk Bay carry the ASC@ water quality use classification. See MAP 8.

Kill Devil Hills is located entirely within the hydrologic unit identified as 03010205230030. See MAP 1, MAP 6, and MAP 8.

See Chapter IV, D, Resource Management Issues for discussions of areas with resource potential in Kill Devil Hills.

10. Constraints to Development and Carrying Capacity Analysis

a. Introduction

Information and analysis for this section were taken from the Town of Kill Devil Hills Stormwater Management Plan Update, 1988, and the "Buildout Study Outer Banks District," North Carolina Power, January 11, 1988, the Booz-Allen and Hamilton Dare County Carrying Capacity/Development Study, and staff reports.

b. Existing Water and Sewer Service Areas

Until 1996, Kill Devil Hills, Dare County, and Nags Head shared in the operation of the Dare County Regional Water System. At that time, Kill Devil Hills relinquished its ownership rights to the systems= plants and sources. Kill Devil Hills is allocated 3 million gallons per day (MGD) of the 9.9 MGD that can be generated by water system facilities. The system can be expanded to generate a total of approximately 16.0 MGD, of which Kill Devil Hills would be entitled to approximately 4.5 MGD.

The average water consumption for the Kill Devil Hills system was approximately 1.22 MGD for fiscal year July 1, 1996 to June 30, 1997. The peak demand in 1997 was 2.0 MGD.

As of June, 1997, the Kill Devil Hills water system had 4,547 residential water meter accounts and 206 commercial accounts.

There are two elevated water storage tanks in Kill Devil Hills. One tank is located at the water plant on W. 8th Street and has a .25 million gallon capacity. Another tank is located at the Police, Fire, and Finance complex, 1634 North Croatan Highway and has a .20 million gallon capacity. Ground storage is .70 million gallons at W. 8th Street and .50 million gallons at the Police, Fire, and Finance complex. A County owned storage facility is located at the Reverse Osmosis Plant (RO Plant) on Mustian Drive in Kill Devil Hills.

Some capital improvements to the water systems include upgrading undersized water mains in high density areas, looping of dead end lines, adding fire hydrants in high density areas, providing for the future

needs by constructing elevated storage, and devising a replacement schedule for existing water mains that are constructed of asbestos cement materials. The Town's Capital Improvement Plan includes a proposed new water tank in the north-end of Town.

Currently, the existing water system is capable of serving the Town's needs. However, as the Town reaches build-out and then redevelopment, it will need to focus on upgrading its water system as a whole versus the as needed, crisis dictated approach by which it has evolved.

Kill Devil Hills, like its neighbors, relies on septic tanks and some package treatment plants. The following is a list of the package wastewater treatment plants in Kill Devil Hills:

1. Outer Banks Beach Club Wastewater Treatment Plant
Capacity - 300,000 gpd (can be expanded to 500,000).
This treatment plant provides wastewater services to 22 customers ranging from fast food restaurants and laundromats to motels and shopping centers.
 2. Holiday Inn
Location - East Ocean Acres Drive
Capacity - 45,000 gpd
This treatment plant serves only the Holiday Inn Motel and cannot be expanded.
 3. The Kill Devil Hills Ocean Acres Plant (Southern Sanitary District 1)
Capacity - 60,000 gpd
Service - 147 customers (13 of which are commercial)
The plant, built in the early 1970's, has been through two bankruptcies, and is currently owned and operated by Kill Devil Hills.
- c. Design Capacity of Community Facilities;
Utilization and Remaining Capacity

At present, most community facilities generally appear to be adequate to meet existing demands. However, for the five year planning period (1997-2002), facilities' maintenance and upgrading will become more crucial.

After collection by the Town, solid waste is transported to a transfer station in Manteo. The waste is then disposed of at the Bertie County Regional Landfill.

The educational needs of Kill Devil Hills are also the responsibility of Dare County. The design capacities for Dare County Schools are:

!	First Flight Elementary School	540 students
!	First Flight Middle School	572 students
!	Kitty Hawk Elementary School	720 students
!	Manteo High School	675 students

Current enrollments at each are:

!	First Flight Elementary School	536 students
!	First Flight Middle School	431 students
!	Kitty Hawk Elementary School	459 students
!	Manteo High School	734 students

A 5% annual increase in enrollment is projected. There is support in the Town for the construction of a new high school on the Baum Tract along Veterans Drive.

The North Carolina Department of Transportation maintains the major highways within the Town and routinely develops plans for system improvements. The Town has developed a master plan for local street improvements.

The Kill Devil Hills Police Department has twenty-seven employees with four subordinate divisions including Administration, Patrol, Criminal Investigations, and Animal Control. The Department is headed by a chief who is assisted by a deputy chief.

Paid fire fighters operate in three shifts of twenty-four hours duration and provide a high level of fire suppression services to the Town. Volunteer fire fighters also provide assistance. There are twelve fire fighter positions, three captain positions, and one secretarial position. In addition,

two funded supervisory positions include the fire chief and deputy chief.

Police and fire facilities and personnel needs are constantly being evaluated and will be provided as necessary. Ocean rescue services are contracted out by the Town to a private firm.

The Town continues to implement its Recreational Facilities Plan and budget a capital reserve fund for recreation and recreational facilities. The Town has also been very active in developing shoreline accesses. See MAP 7. The Dare County Recreational Park in Kill Devil Hills was completed in 1997.

d. Buildout

Various buildout scenarios for the Town have been discussed and debated. The Town of Kill Devil Hills Stormwater Management Plan Update, 1988, the Buildout Study Outer Banks District by North Carolina Power, and the Dare County Service Requirement and Development Options Cost Report of the Carrying Capacity Study by Booz-Allen & Hamilton all offer buildout projections and considerations. The North Carolina Power study projected that the buildout could occur with 9,443 dwelling units as early as 1998 in the Town. The Town's Stormwater Management Plan Update focused on buildout using market conditions underlying 1988 development densities, the Carrying Capacity Study projections, and several assumptions.

It projected that buildout, if defined as every parcel being developed to its highest permissible density, could only be achieved with the use of community-wide wastewater. It is projected that complete coverage of the Town by development will not likely occur before the year 2007.

C. Estimated Demand

1. Introduction

It is anticipated that in some cases, future demands during the planning period may not be adequately met by existing and thus, the Town prepared (in 1997) its first Capital Improvement Plan and continued to budget for certain capital

expenditures. The primary focus in the next 10 years will be on redevelopment, maintenance, and regional efforts to solve multi-jurisdictional problems such as water and wastewater. See previous discussions on page III-22, item 10b.

2. Population

a. Seasonal Population

Projections are available only at the county level from the North Carolina Department of Planning, State Data Center. The Booz-Allen & Hamilton, Inc.'s Dare County Service Requirement and Development Options Cost Report, a part of the Carrying Capacity Study, projects an average visiting population of 24,284, and a peak visiting population of 40,473 by 2001. The Town projects its 2003 permanent population at 6,100 and projects the peak visiting population plus permanent population in 2003 to be about 48,000.

b. Local Objectives Concerning Growth

A moderate growth rate that will result in a permanent population of about 8,500 persons by 2007 is projected. Based upon the responses received in the 1997 public opinion survey, there is support for more residential development and less commercial development, but strong resentment to an increase in density.

3. Economy

The Town will continue to rely on tourism as its main industry throughout the planning period. There will continue to be pressure from the commercial sector to re-examine land use policies and the Town's approach to land use planning.

4. Future Land Need

There is sufficient vacant land to meet the demands anticipated for the planning period. However, the suitability of soils for septic tank use could constrain the amount and location of future growth.

5. Community Facilities Demand

Most of the community facilities demands anticipated for the planning period will be adequately met by existing facilities and those planned. However, utility system maintenance and the speed with which infrastructure improvements are made may constrain future growth. Community facilities planning, particularly for transportation system needs, is difficult due to the population variance between peak and off-peak seasons. In 1997, the Town prepared its first Capital Improvement Plan.

Community facilities issues are discussed in detail in Chapter IV, Section E , numbers 17-19, 21-22, and 31-32 on pages IV-29 and IV-30, IV-32, and IV-42 and IV-43 respectively.

6. Transportation

Transportation system demands anticipated for the planning period will become more problematic and may not be adequately met by the existing system.

Planned system improvements both at the local and interjurisdictional levels must be accelerated. These are discussed in Chapter IV, Section E, numbers 21 and 22 on page IV-32.

7. Housing and Accommodations

The demand for housing and accommodations anticipated for the planning period will be met by existing stock and private initiative based upon market demands. However, it is anticipated that competition for existing stock will increase. Housing for seasonal employees for the service industry is in shortage and will likely continue to be a problem.

IV. LAND USE ISSUES, BACKGROUND, POLICIES, AND IMPLEMENTATION STRATEGIES

A. Introduction

Statements of local policy on land use issues which will affect Kill Devil Hills during the next five years follow. The issues have been grouped under five general headings:

- ! resource protection issues;
- ! resource production and management issues;
- ! economic and community development issues;
- ! public education and citizen participation; and,
- ! natural hazards planning.

Following the guidelines set forth in Subchapter 7B-Land Use Planning Guidelines of the North Carolina Administrative Code, (03/06/96), the Town considered various policy alternatives and implementation strategies before selecting the several policies that follow.

The Town considers the following issues regarding resource protection not applicable or relevant at this time and they will not be addressed in this Update:

- ! Outstanding Resources Waters (ORW) Areas;
- ! Shellfishing waters; and,
- ! Manmade Hazards.

The Town considers the following issues regarding resource management not applicable or relevant at this time and they will not be addressed in this Update:

- ! Productive Agricultural Lands;
- ! Commercial Forest Lands;
- ! Impact of Development on Any Resource; and,
- ! Impact of Peat or Phosphate Mining on Any Resource.

Similarly, the following economic and community development issues are not considered applicable or relevant at this time and they will not be addressed in this Update:

- ! Landfill Siting;
- ! Port Facilities; and,
- ! Military Facilities.

In addition to numerous workshops and meetings devoted to review of land use issues, Town policies, and implementation strategies, the Town distributed a public opinion survey in July 1997. Of the 7,000

surveys distributed, 1,500 (21.4%) were returned by the August cutoff date. Surveys received after the cutoff date were not included in the percentages quoted in the issue areas= BACKGROUND discussion that follows, however the Planning Department continued reviewing surveys received tracking trends and opinions. A copy of the survey form with percentages is included as APPENDIX 3.

Responses to the opinion survey provide an important source of information to Town decision-makers in the formulation of policies regarding future growth and development. In addition, responses can help identify growth issues which appear to have an especially high level of significance to the citizenry. Because the survey occurs during the land use plan update process, such issues received special attention and further investigation during the preparation of the Land Use Plan Update.

The opinion survey is only one source of information Town decision-makers have available to them in formulating growth policies. As with any effort to gauge public opinions or attitudes, readers of survey responses should avoid using the results legalistically or accepting them as absolute. Readers must weigh the results in combination with other information, as well as with their own knowledge of Kill Devil Hills. The survey instrument was not developed to be an infallible scientific measuring tool. Moreover, it was distributed to all tax payers, regardless of whether they live in Town or out. Local versus out of towners views were not separated. Local versus out of towners views were not weighted. Many of those returning surveys did not complete all questions in the instrument, thus only the views of those responding to a question are reflected in the percentages quoted in the pages that follow.

Most of the policies and implementation strategies that follow were included in whole or in part in the 1993 Update. An analysis of the Town=s efforts to implement the policies included in the 1993 Update is included, where applicable, in the respective land use issues= BACKGROUND sections.

2. Timing of Implementation

The Board of Commissioners and Planning Board meet annually in a joint workshop to discuss planning goals and planning related work items. Notwithstanding re-prioritization of policy issue areas or rescheduling of implementation strategies necessitated by changes in development patterns, State or Federal mandates, or local objectives, the policies that follow will be implemented on an on-going basis or by the end of

the five year planning period (1997-98 through 2001-02), unless otherwise specified.

C. Resource Protection Issues

1. **Areas of Environmental Concern (AEC)**

BACKGROUND

In Kill Devil Hills, these areas are covered under existing CAMA regulations and discussed in detail in Chapter III, Section B, part 9, items. C, pages III-17 through III-22.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation were completed by the Town.

POLICY

The Town supports the guidelines of the Coastal Area Management Act and the associated policies of the Coastal Resources Commission but reserves the right to oppose specific sections of the CAMA. The Town is opposed to any additional AEC designations or the extension or enlargement of any existing AEC designations within its borders.

IMPLEMENTATION STRATEGY

The Town will be represented at Coastal Resources Commission meetings and workshops and will participate in discussions and public hearings concerning issues relevant to the Town's interests. The Town was represented at ad hoc committee meetings of the Governor=s Coastal Futures Committee. The Town will continue to be represented at State sponsored water quality meetings.

2. **Hazardous or Fragile Areas**

a. 404 Wetlands, Freshwater Swamps, and Marshes

BACKGROUND

In Kill Devil Hills, these areas are regulated by existing CAMA or U.S. Army Corps of Engineers regulations. Corps of Engineers regulates 404 wetlands. State regulated coastal marshes must attach to a water body and be regulated by CAMA. Presently, consultants are used by prospective builders to verify the presence or absence of wetlands. Reports are submitted to the Corps of Engineers for verification and then to the Town to review and issue permits as appropriate.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation -- also identical -- were completed by the Town.

POLICY

The Town supports CAMA and U.S. Army Corps of Engineers regulations as applicable, reserving the right to review any proposed modification to existing regulations. The Town supports mitigation activities when used in conjunction with public purpose projects.

IMPLEMENTATION STRATEGY

The Town will monitor development proposals for compliance with Section 404 of the Clean Water Act and continue to administer local land disturbing regulations.

b. Maritime Forests

BACKGROUND

The majority of the 490.5 acres of land in Kill Devil Hills that retains maritime forest vegetation is owned and managed for preservation by the North Carolina Nature Conservancy (Nags Head Woods Preserve), a private, non-profit corporation. Of this land, some 341 acres, is not considered to be endangered by private sector development or forestry harvesting. The management of maritime forest lands not owned by a preservation organization can be managed through the use of local land disturbing ordinances. With the exception of 124 acres owned by the Town, the balance (25.5 acres) is owned privately.

In July, 1997, the Town entered into a management agreement with the Nature Conservancy for management of Town-owned land in the Maritime Forest.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation -- also identical -- were completed by the Town.

POLICY

The Town supports the maintenance and management of maritime forests and supports the use of locally adopted management guidelines. The Town encourages private owners of land in maritime forests to retain the natural wooded condition of their property.

IMPLEMENTATION STRATEGY

The Town will continue to implement the regulations of the Maritime Forest Environmental District as found in Chapter 21, Zoning, of the Town Code and work with the Nature Conservancy for the management of Town-owned land in the Maritime Forest.

The Town will work with the Nature Conservancy and private owners to make reasonable efforts to selectively remove dead or damaged trees after a major storm event.

3. **Protection of Potable Water Supply**

BACKGROUND

See Chapter III, Section B., part 9, item b.(3) on page 17, Water Supply Sources; Estimated Quality and Quantity. On June 30, 1996, the Town signed over its interest in the water production system it owned and developed with Nags Head and Dare County. Now the water production system is the property of Dare County and Kill Devil Hills is guaranteed 3 million gallons daily. A policy identical to the policy which follows was included in the 1993 Update and similar strategies for its implementation were carried out by the Town.

POLICY

The Town supports the protection of its water supply resources.

IMPLEMENTATION STRATEGY

The Town will consider conducting an area-wide water and sewer needs study within the next five years and will seek the support and cooperation of neighboring localities in this effort. The Town will continue to monitor and enforce existing regulations and adopt appropriate regulations for the protection of surface water and groundwater resources in the construction of new and the operation of existing wastewater treatment facilities particularly around the Fresh Pond and near wastewater treatment facilities.

4. **Package Treatment Plants**

BACKGROUND

See Chapter III, Section B., part 10., item b., on page III-22. Existing Water and Sewer Service Areas.

A policy identical to the policy which follows was included in the 1993 Update but similar strategies for its implementation were not fully completed by the Town as the Town did not conduct an area-wide water and sewer needs study.

POLICY

The Town supports the establishment of a community-wide wastewater treatment system for the protection of the health, safety, and welfare of the citizens of Kill Devil Hills and not to promote increased dwelling density. The Town supports the use of package treatment plants in the interim if they are:

! designed to treat less than 100,000 gallons per day;

- ! affixed to the units they serve; and
- ! if both the package treatment plants and the units they serve are located within the boundaries of Kill Devil Hills.

IMPLEMENTATION STRATEGY

Although water production is under the control of Dare County, wastewater needs must be reviewed with respect to water supply. The Town will consider conducting an area-wide water and sewer needs study within five years and will seek the support and cooperation of neighboring localities in this effort. The wastewater division of the Town's Utility Department will develop and recommend local plans and regulations concerning the use, regulation, and maintenance of package treatment plants and appurtenances within Town borders. In the interim, the site plan review process and the Division of Environmental Management's regulatory system will be used to insure all package treatment plants are properly designed and located in such a manner that public health and welfare are not compromised by the presence of such systems.

5. **Stormwater Runoff**

BACKGROUND

The Town commissioned and adopted the Town of Kill Devil Hills Stormwater Management Plan Update, 1988. The Town currently experiences nuisance flooding when there is a storm of an intensity that occurs on the average of once every two years. The Town currently experiences more serious, but still relatively minor flooding problems when there are storms of greater intensity occurring on the average of once every five to ten years. Major flooding would occur in the event of intense rainfall or hurricane. The Town has undertaken natural hazard planning independently of its Stormwater Management Plan to prepare for such events.

The Town has a policy of support for protection of the estuarine and oceanic water quality. The Town supports state Coastal Area Management Program guidelines and the state Coastal Area Management Act goals for water quality protection. Unchecked local stormwater runoff could contribute to pollution of the estuaries and the ocean. Stormwater systems that would effectively relieve flooding could pollute even more severely than unchanneled runoff since they could allow the water to flow at a rapid enough rate for it to carry a maximum amount of sediment and chemical pollutants directly to the coast.

Rapid stormwater removal and prevention of pollution from the stormwater are in some ways competing goals so it is challenging to devise satisfactory solutions to the combined problem.

The solution recommended in the Stormwater Management Plan comprises several methods to reduce the amount of stormwater runoff from each lot, to detain runoff so that less sediment will reach the coastal waters, and to remove runoff quickly from developed areas. Implementation of all of the recommended improvements would reduce flooding under build-out conditions to a nuisance level for a two year storm event without worsening and in some cases improving estuarine water quality. The solution would also lessen flooding and pollution problems from five and ten year storms.

The components of the recommended solution are summarized in detail in Chapter V, Recommendations of the Stormwater Management Plan. Understanding the expense involved, the Town has realized only so much can be done and has cautiously implemented the recommendations of the plan.

In the 1997 opinion survey, of those choosing to respond concerning whether public funds should be used for stormwater drainage management projects, 59.5% agreed or strongly agreed, while only 9.0% disagreed or strongly disagreed.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation were carried out by the Town.

POLICY

The Town supports the mitigation of adverse impacts associated with stormwater runoff within Town limits and the policies adopted as a part of the Town of Kill Devil Hills Stormwater Management Plan Update, 1988 and subsequent updates.

IMPLEMENTATION STRATEGY

The Town will continue to implement the recommendations of the Town of Kill Devil Hills Stormwater Management Plan Update, 1988.

The Town will continue to budget a capital reserve for stormwater projects.

The Town will update the Town of Kill Devil Hills Stormwater Management Plan Update, 1988.

6. **Marinas, Floating Homes, Dry Stack Storage Facilities, and Mooring of Vessels in Public Trust Waters**

BACKGROUND

With the exception of the Government and Institution (G&I) zone, current zoning regulations do not allow marinas. Floating homes and dry stack storage facilities are not permitted in any zone. However, no Town policy exists governing the temporary mooring of vessels in public trust waters.

CAMA does not have a policy governing temporary mooring of vessels in public trust waters.

A policy identical to the policy which follows was included in the 1993 Update but the strategies for its implementation were not fully completed by the Town as the Town did not develop and adopt ordinances to regulate floating homes, dry stock storage facilities, and the mooring of vessels in public trust waters.

POLICY

The Town opposes floating homes, dry stack storage facilities, and the mooring of vessels in public trust waters not affiliated with a marina or a private dock in Kill Devil Hills.

IMPLEMENTATION STRATEGY

The Town will enforce existing ordinances and regulations and carefully review applications for construction of marinas. It will develop and adopt ordinances within the next five years to regulate floating homes and dry stack storage facilities -- including the exercise of extraterritorial jurisdiction.

The Town will investigate strategies and means such as extraterritorial jurisdiction and special legislation to give the Town the right to regulate moorings in public trust waters.

7. **Industrial Impact on Fresh Pond AEC**

BACKGROUND

The area around Fresh Pond is zoned Light Industrial (LI) and some development has occurred.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation were partially completed by the Town. The Town developed and adopted a water supply/watershed protection ordinance which was later repealed.

POLICY

The Town supports the protection of fragile areas such as the Fresh Pond AEC and supports measures to mitigate potential adverse effects of industrial uses.

IMPLEMENTATION STRATEGY

The Town will continue to implement the CAMA minor development program.

The Town will continue its efforts to maintain vegetative buffers on the western property lines of the building sites and continue to direct runoff away from the Fresh Pond watershed.

8. **Sound and Estuarine System Islands**

BACKGROUND

There are several sound and estuarine islands under the jurisdiction of Kill Devil Hills including Walker Island. These estuarine islands provide habitat for marine and aquatic life and are important for food production.

A policy identical to the policy which follows was included in the 1993 Update and similar strategies for its implementation were carried out by the Town.

POLICY

The Town supports the preservation of the current undeveloped state of sound and estuarine islands under the jurisdiction of Kill Devil Hills.

IMPLEMENTATION STRATEGY

The Town will continue to recognize 404 Wetlands and CAMA regulations and will consider purchase of sound and estuarine islands within the next five years.

The Town will work with the Nature Conservancy regarding the purchase of sound and estuarine islands using grants and capital reserve funds.

9. **Restriction of Development within Areas Up to Five Feet Above Mean High Water**

BACKGROUND

Existing regulations are deemed adequate.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation -- also identical -- were carried out by the Town.

POLICY

The Town supports the restriction of development within areas up to five feet above mean high water susceptible to sea level rise and wetland loss.

IMPLEMENTATION STRATEGY

The Town will enforce requirements of the National Flood Insurance Program. It will enforce existing regulations regarding structure elevations and enforce base flood regulations--requiring elevation certificates and other requirements stipulated in Chapter 8, Flood Damage Prevention, of the Town Code.

10. **Upland Excavation**

BACKGROUND

There has been very little activity or interest in this issue. Current zoning regulations do not allow marinas.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation -- also identical -- were carried out by the Town.

POLICY

The Town supports properly permitted excavation of upland areas for marina basin development.

IMPLEMENTATION STRATEGY

The Town will continue to support applicable Federal, State, and local regulatory programs.

11. **Bulkheads**

BACKGROUND

This issue has not generated a great deal of controversy in Kill Devil Hills, particularly since properly aligned and constructed estuarine bulkheads have proven successful in stabilizing the sound shore. Historically, the Town has not favored bulkhead installation in wetlands except in certain cases landward of the tide line.

A policy similar to the policy which follows was included in the 1993 Update and the strategies for its implementation - also similar - were carried out by the Town.

POLICY

The Town supports the continued construction of properly permitted estuarine bulkheads, but does not favor issuing bulkhead permits where substantial wetlands loss is imminent.

IMPLEMENTATION STRATEGY

The Town will continue to participate in the CAMA Minor Permit Program with the Department of Environment, Health, and Natural Resources.

The Town will encourage the CRC to study wetlands loss related to the installation of bulkheads and alternative methods of estuarine shoreline stabilization.

12. **Flood Plain Management**

BACKGROUND

See Chapter III, Section B., part 8., item d. on page III-10 and part 9., item b.(1), on page III-12, Man-Made and Natural Hazard Areas.

The Planning Department submitted an application in 1996 to the National Flood Insurance Program which was approved, resulting in a 10% reduction in flood insurance premiums throughout the Town.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation were carried out by the Town.

POLICY

The Town supports the concept and practice of flood plain management and participation in National Flood Insurance Program Community Rating System.

IMPLEMENTATION STRATEGY

The Town will continue to keep the local Flood Plain Management Ordinance up to date with the National Flood Insurance Program.

The Town will continue its annual public awareness outreach projects to educate the public concerning the need for flood insurance.

The Town will investigate the use of freeboard for new construction.

13. **Duneplowing and Revegetation**

BACKGROUND

Concern was noted that sandhill formations (non-coastal dunes) that occur outside the Area of Environmental Concern jurisdiction of CAMA were being subjected to adverse alteration activities and local protection guidelines were adopted in 1991.

Section 21-7.12 Dune Protection of Chapter 21, Zoning, of the Town Code, makes it unlawful for persons, firms, or corporations to damage, destroy, remove, or change the existing contour of any sand dune or to kill, remove, or destroy vegetation growing on sand dunes except in certain cases. This section also sets forth requirements for the submission of development and/or site plans for developments in areas that contain oceanfront or inland dunes and review of same by the Planning Board or Town zoning official.

Guidelines are also set forth concerning the removal or relocation of sand as well as slope parameters for dune-disturbing activities.

Run Hill, a live sand dune, is a unique, active coastal geologic formation in Kill Devil Hills. It has been preserved and is now part of the Jockey=s Ridge State Park system.

A policy similar to the policy which follows was included in the 1993 Update and the strategies for its implementation -- also similar -- were carried out by the Town.

POLICY

The Town supports the construction and revegetation of ocean-front sand dunes and opposes the mining of inland dunes.

IMPLEMENTATION STRATEGY

The Town will continue to enforce the dune protection section of Chapter 21, Zoning, of the Town Code.

14. **Areas of Archaeological or Historical Significance**

BACKGROUND

Two archaeological sites are recorded within the Town's planning boundaries. The exact locations of these sites are not provided due to potential harm from public knowledge and subsequent disturbance of these locations. Additional records indicate one underwater, two terrestrial, and one region previously surveyed. See MAP 6.

Any proposed development or land disturbing activities within these areas should be immediately referred to the North Carolina Department of Cultural Resources.

In addition, there are three sites in Kill Devil Hills that are on the National Register of Historic Places. See MAP 6. They are:

- ! the Wright Brothers Memorial;
- ! the Wright Brothers Quarters and Hanger Building (both located on property owned by the National Park Service); and,
- ! the Kill Devil Hills Coast Guard Station (located in the vicinity of the 700 - 800 block of South Virginia Dare Trail).

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation -- also identical -- were carried out by the Town.

POLICY

The Town supports the protection of identified areas of archaeological or historical significance.

IMPLEMENTATION STRATEGY

The Town will enforce existing regulations, requiring review by the Department of Cultural Resources of proposed development activity in areas identified as archaeologically or historically significant.

D. Resource Management Issues

1. **Agriculture, Forestry, Mining, Fishing, and Recreation**

BACKGROUND

Commercial agriculture, forestry, and mining are not considered potential major land uses. Fishing is a vital part of the traditional Outer Banks way of life and is important to the local economy. The Town adopted and is implementing the Town of Kill Devil Hills Recreational Facilities Plan Update, 1997.

A policy similar to the policy which follows was included in the 1993 Update and the strategies for its implementation C also similar C were carried out by the Town.

POLICY

The Town supports and encourages recreational activities including fishing and discourages commercial agriculture, forestry, and mining.

IMPLEMENTATION STRATEGY

The Town will continue to implement the recommendations of the Town of Kill Devil Hills Recreational Facilities Plan Update, 1997. It will continue to enforce its dune protection ordinance and continue to enforce regulations found in the maritime forest environmental district of Chapter 21, Zoning, of the Town Code.

The Town will work toward the goals of clean water and access to waters for fishing and recreation.

2. **Mineral Production Areas**

BACKGROUND

The only significant activity to date has been sand mining. Kill Devil Hills is a tourist community and mining activities are not deemed to be compatible with the Town's economy.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation c also identical c were carried out by the Town.

POLICY

The Town opposes any mining activities within Town limits.

IMPLEMENTATION STRATEGY

The Town will continue to enforce its dune protection ordinance and will review any other proposed mining activities for compatibility with the existing Town economy and regulations.

3. **Fisheries and Nursery and Habitat Areas**

BACKGROUND

The Town has significant habitat areas -- the estuarine shoreline and marsh islands -- which contribute to the support of recreational and commercial fisheries.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation c also identical c were carried out by the Town.

POLICY

With the exception of channel and maintenance dredging activities including beach nourishment dredging, the Town supports the protection of commercial and recreational fisheries, nurseries, and habitat areas.

IMPLEMENTATION

The Town will recognize and support the provisions of Section 404 of the Clean Water Act and applicable CAMA guidelines, which relate to this policy.

The Town will protect and/or acquire marsh islands to preserve habitat and nursery areas.

The Town will seek acquisition funds from the North Carolina Estuarine Trust Fund.

4. **Wildlife Management**

BACKGROUND

With increased population and development in the Town, wildlife management and compatibility has become an issue.

A policy identical to the policy which follows was included in the 1993 Update but not all of the strategies for its implementation were completed by the Town. The Town did not develop a wildlife management plan. However, the Town worked with the Nature Conservancy to allow hunting to manage the Town=s deer herd.

POLICY

The Town supports the concept of wildlife management within Town limits.

IMPLEMENTATION STRATEGY

The Town will coordinate its efforts with the Wildlife Resources Commission and Nature Conservancy to develop a wildlife management plan within the next five years to include species recognition and habitat preservation elements.

The Town will continue to work with the Nature Conservancy with respect to wildlife population management.

5. **Off-road Vehicles**

BACKGROUND

Results of the citizen survey indicate significant support (56.3%) for beach driving from September 15 to May 15 with only 37.0% of respondents opposed.

At certain points, the beaches in the Town have very unstable sand and steep slopes making off-road driving difficult and potentially hazardous to sunbathers. The need to regulate off-road vehicles on the beach to reduce the potential for accidents has been discussed. It has been suggested that a decal permit program is the best way to inform off-road vehicle drivers of rules to be followed.

A policy similar to the policy which follows was included in the 1993 Update.

After receipt of public input, the Town decided not to implement a permit system for beach driving.

POLICY

The Town supports seasonal restrictions on beach driving.

IMPLEMENTATION STRATEGY

The Town will continue to use its local police powers to enforce beach driving restrictions.

E. Economic and Community Development Issues

1. **Residential, Commercial, Industrial, and Institutional Development**

BACKGROUND

Generally, the attitudes and opinions of the citizens are to retain a high ratio of residential to non-residential construction within the Town. However, it is important to note that the Town realizes that many of the single family "residential structures" serve a rental business function. It is important to note that some support has been given for a "village commercial" concept which can serve the limited commercial needs of the immediate neighborhood.

In the 1997 opinion survey, 68.6% of respondents agreed or strongly agreed, while only 7.6% disagreed or strongly disagreed that the Town should become more residential, less commercial. A majority of respondents (74.6%), when given the choice of the Town becoming more commercial, less residential, disagreed or strongly disagreed.

Concerning residential zone densities, 78.6% of respondents disagreed or strongly disagreed that the existing residential zone rules should be relaxed to allow greater densities and a greater variety of uses.

Concerning zoning and densities around the Wright Brothers National Memorial, 89.6% of respondents agreed or strongly agreed that the existing low density residential zone around the memorial should be maintained.

Concerning the use of public funds to provide incentives to stimulate additional economic development, 19.2% agreed or strongly agreed with this concept; but 45.5% disagreed or strongly disagreed.

A policy identical to the policy which follows was included in the 1993 Update but similar strategies for its implementation were not fully completed by the Town. The Town did not develop architectural standards.

POLICY

The Town supports the concept of repackaging commercial development to make it more attractive and compatible with the residential character it strives to preserve.

IMPLEMENTATION STRATEGY

The Town may develop and adopt architectural standards and investigate methods and approaches to effectively manage growth, particularly wastewater service, within the next five years.

2. **Architectural Review Standards**

BACKGROUND

Community appearance is an important factor attracting tourists to Kill Devil Hills as a vacation destination. Strong support for architectural review standards was noted in the 1997 public opinion survey.

Concerning the establishment of an architectural and beautification standard for new and existing development, 75.2% of survey respondents agreed or strongly agreed that such standards should be established, while only 9.6% disagreed or strongly disagreed.

A policy similar to the policy which follows was included in the 1993 Update but the strategies for its implementation as well as similar C were not fully carried out by the Town. The Town did not develop design standards or create an architectural beautification district.

POLICY

The Town supports architectural standards for new development and uniform residential and non-residential structural designs for other than single family dwellings and duplexes. It also supports the concept of incentives for architectural enhancements.

IMPLEMENTATION STRATEGY

The Town will solicit the help of local architects and designers to develop standards and create an architectural beautification district. It may establish overlay corridors along commercial strips and include benefits for the retrofitting of older structures with the goal of improving the Town's appearance as a vacation destination.

The Town will develop language for inclusion into the zoning ordinance to encourage the use of Outer Banks traditional building styles.

3. **Industrial Development**

BACKGROUND

Currently, there is light industry by Fresh Pond and in a small area in the central part of Town west of U.S. 158. The Federal and State governments must be prompted to more fully recognize tourism as an industry of local and national importance. Existing light industry, which is supplemental to the Town's economy, is service oriented in nature.

A policy identical to the policy which follows was included in the 1993 Update but similar strategies for its implementation were not fully carried out by the Town.

POLICY

The Town supports Federal and State legislation to recognize tourism as a desired industry.

IMPLEMENTATION STRATEGY

The Town will encourage the Chamber of Commerce and Dare County Tourist Bureau to work toward obtaining State recognition of tourism as an industry.

The Town will seek legislation to recognize tourism as an industry. It will work to present a unified Dare County resolution to Federal and State legislators in strong support of recognizing tourism as a desirable industry and toward the development of improvements to facilitate cultural resources and events.

4. **Service Provision to Development**

BACKGROUND

Development has traditionally provided improvements and infrastructure such as streets, water lines, and beach access sites based on its impacts to the community.

Concerning impact fees, 90.1% of survey respondents agreed or strongly agreed that developers should pay such fees for those services required by their new development.

Opinions expressed in public meetings during the development of this Update were overwhelmingly in favor of twice weekly trash pick-ups. However, 65.7% of survey respondents agreed or strongly agreed that residential trash should be picked up by the Town once a week in the off season (instead of the current two pickups) with the exception of holidays.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation c also identical c were carried out by the Town.

POLICY

The Town supports exactions and impact fees from developers for services and infrastructure improvements which they require and as necessary to address impacts created by development.

IMPLEMENTATION STRATEGY

The Town will continue to levy impact fees (for water service) and negotiate concessions requiring developers to pay for services and infrastructure improvements required by development.

5. **Uniform Planning Corridor Overlays and Interjurisdictional Regulatory Consistency**

BACKGROUND

Citizens of the Town realize that community appearance is important to continued success as a resort community. There is support for the establishment of an interjurisdictional overlay district for the U.S. 158 corridor. This effort should give rise to uniform local sign, lighting, and landscaping regulations in an effort to create a more desirable appearance for the highway corridor.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation c also identical c were carried out by the Town.

POLICY

The Town supports the concept of a uniform planning corridor to include an overlay district providing consistent sign, lighting, and landscaping regulations for the length of U.S. 158 throughout Dare County.

IMPLEMENTATION STRATEGY

The Town will seek the support and cooperation of Dare County, Kitty Hawk, Southern Shores, and Nags Head in a coordinated effort to develop and adopt uniform corridor regulations within the next five years.

6. **Redevelopment**

BACKGROUND

There is public support to de-emphasize the oceanfront zone as a preferred location for bulk immovable structures, to create a setting for such structures to the west of NC 12, and to reserve that land west of U.S. 158 for year-round residential development.

The Town has experienced a transition from residential to commercial occupancies along U.S. 158 where zoning is compatible. Modernization, rehabilitation, remodeling, and upgrading of older structures is a trend throughout the Town.

The Town anticipates the development of new market forces impacting Kill Devil Hills during the next five years. These forces could trigger a redevelopment proposal, or a redevelopment plan may be developed by the Town itself.

Over 73% of survey respondents agreed or strongly agreed, while only 6.5% disagreed or strongly disagreed, that private redevelopment efforts should be encouraged to preserve or continue the general residential building type or character.

A policy identical to the policy which follows was included in the 1993 Update and similar strategies for its implementation were carried out by the Town.

POLICY

The Town supports redevelopment of developed areas only after the review of any redevelopment plans for consistency with the Town's land use strategy.

With respect to redevelopment of non-commercial land fronting on U.S. 158, the Town shall encourage the preservation of existing residential land use along those portions of U.S. 158 not zoned commercial.

IMPLEMENTATION STRATEGY

All redevelopment plans will be reviewed by the Planning Board and Board of Commissioners for consistency with the Town's zoning ordinance and land use plan.

In an effort to judge the desirability of any redevelopment proposal, the Town may consider amending the zoning ordinance to address redevelopment issues such as protecting the character of the area (appearance) and the natural environment, while eliminating non-conformities where practicable.

7. **State and Federal Programs**

BACKGROUND

1. **Erosion Control:** The Town has generally supported but has reserved the right to oppose specific sections of state and Federal programs.
- b. **Public Building Accessibility:** The Town has generally supported the Americans with Disabilities Act, but has reserved the right

to oppose specific sections of State and Federal programs.

3. Highway Improvements: The Town has generally supported but has reserved the right to oppose specific sections of State and Federal programs.
- d. Dredging: The Town has generally supported but has reserved the right to oppose specific sections of State and Federal programs.
5. Wright Brothers National Historic Site: The Town supports expanded uses of this site.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation c also identical c were carried out by the Town.

POLICY

The Town supports interaction with Federal and State legislators and staffs to promote the exchange of ideas and information regarding issues that will effect the Town.

IMPLEMENTATION STRATEGY

The Town will have representatives attend public hearings and meetings wherein State and Federal rules and policies are discussed. Within the next two years, the Town will seek legislative relief to allow for the utilization of the Wright Brothers National Historic Site for Town supported events.

8. Beach Erosion and Beach Nourishment

BACKGROUND

The Town's policy on shoreline erosion in 1980, which opposed the expenditure of public or private funds in an attempt to stabilize the ocean beaches generated considerable controversy in 1982 when several oceanfront homes were lost and one bulk immovable structure became imminently endangered due to heavy seas. Permits for erosion control structures were denied based on the Town's restrictive policies, which at that time were more restrictive than the State of North Carolina's guidelines. After several meetings, workshops, and public hearings, the

Town's policy on shoreline erosion was amended in 1982. A number of structural and non-structural responses to shoreline erosion were included in the amended policy. A question concerning shoreline erosion policy was included in the public surveys distributed in 1986, 1992, and 1997 as a part of this Update. Respondents to the surveys favored setbacks as the preferable non-structural response and privately funded structural responses such as bulkheads, seawalls, and breakwaters as the preferable structural response. Survey results indicate opposition to the use of public funds.

Realizing the value of a wide and stable recreational beach, shoreline nourishment is the preferred method of shoreline protection.

Concerning greater setback requirements, 72.2% of respondents agreed or strongly agreed that greater setback requirements should be required for oceanfront structures. A series of statements concerning funding sources prompted the following responses.

Nearly 53% of respondents agreed or strongly agreed, while 26.8% disagreed or strongly disagreed, that private funds should be used to construct erosion control devices. With respect to the use of public funds for structural responses such as bulkheads, seawalls, breakwaters, or artificial seaweed, 28.2% agreed or strongly agreed while 53.6% disagreed or strongly disagreed with this approach.

Concerning the use of public funds for beach nourishment by pumping or hauling in sand, those responding who agreed or strongly agreed and those who disagreed or strongly disagreed were about equal at 41.4% and 39.3%, respectively. Concerning the use of private funds for such activities, 50.3% agreed or strongly agreed while 29.0% disagreed or strongly disagreed.

A policy similar to the policy which follows was included in the 1993 Update and the strategies for its implementation ☐ also similar ☐ were carried out by the Town.

POLICY

The Town supports long term efforts to maintain and enhance the public trust beach through the

funding of a beach nourishment project using Federal, State, and local funds. The Town supports Dare County=s efforts in a storm protection project involving Kill Devil Hills, Kitty Hawk, and Nags Head. It also favors non-structural responses to erosion such as relocation and/or acquisition of existing endangered structures, setbacks for new construction, and measures as may be necessary as interim temporary remedial action to protect property endangered due to erosion so severe that non-structural responses are impractical or ineffective. It is the Town's position that individual property owners should bear the cost of site specific protection measures and mitigation costs when such measures cause damages to public beaches and down drift property owners.

IMPLEMENTATION STRATEGY

The Town will continue to enforce the CAMA minor permit program and authorize permits consistent with the policy indicated above and CAMA permit regulations as applicable.

The Town will keep informed and support funding for the Dare County storm protection project (beach nourishment).

9. Channel Maintenance

BACKGROUND

Waters are typically shallow surrounding the Town's municipal borders. There is one public boat ramp area south of Dock Street owned and maintained by the North Carolina Wildlife Resources Commission. This facility's potential is very limited due to the shallow waters of Kitty Hawk Bay.

The Town supports channel maintenance of navigable waters around its shoreline.

A policy similar to the policy which follows was included in the 1993 Update and the strategies for its implementation c also similar c were carried out by the Town.

POLICY

The Town supports channel maintenance activities in surrounding waters; particularly at the Dock

Street public boat ramp and including partial local funding when necessary. It supports Federal, State, and local efforts for navigational dredging projects. The Town opposes permit denial for navigational dredging projects if such denial is based on the presence of submerged aquatic vegetation.

IMPLEMENTATION STRATEGY

The Town will lobby Federal and State agencies for channel maintenance projects and support Dare County's similar efforts. It will cooperate with Federal, State, and local governments to allow appropriate spoil areas for dredging projects. The Town will support efforts to make the Dock Street access a more usable facility.

10. Outer Continental Shelf (OCS)

BACKGROUND

Historically, the Town has been opposed to any offshore exploration for or production of oil or natural gas in the vicinity of the Outer Banks. Such activity would be incompatible to the desires of the Town, its established tourist industry, its fishing industry, and the preservation of natural and public trust areas -- all particularly dependant upon uninterrupted ocean and groundwater of the highest quality.

North Carolina Governor Jim Hunt signed an executive order in November, 1997 enabling North Carolina to conduct a rigorous review of Chevron USA=s proposal to drill an exploratory oil or natural gas well off the North Carolina coast. The order puts into immediate effect the Coastal Resources Commission=s energy policies which were amended in November, 1996 to improve the State=s ability to review exploration proposals. Without the Governor=s order, the policies could not become effective until August, 1998.

The State will review Chevron=s proposal rigorously and ensure the protection of North Carolina=s vitally important coastal areas. Chevron has not submitted a formal drilling plan and a schedule has not been published. Chevron wants to drill one exploratory well, possibly in the year 2000, in either block 467 or block 510 of the Manteo Exploration Unit. The Manteo Unit is about 40 miles northeast of Cape Hatteras. Block 467 is the same block Mobil Oil proposed drilling in 1990. Block 510 is adjacent to that block. The two sites that Chevron is considering are about 9,000 feet apart.

The Manteo Exploration Unit is in Federal waters. Chevron holds active leases within that unit. Those leases give Chevron the right to seek permits for drilling.

Concerning whether off shore oil and natural gas exploration should be supported, 67.5% of survey respondents disagreed or strongly disagreed while only 21.5% agreed or strongly agreed.

A policy identical to the policy which follows was included in the 1993 Update and the

strategies for its implementation c also identical c were carried out by the Town.

POLICY

The Town is opposed to any offshore exploration for or production of oil or natural gas in the vicinity of the Outer Banks. Such activity would be incompatible with the Town, its established tourist industry, fishing industry, and the preservation of natural and public trust areas -- all particularly dependent upon uninterrupted ocean and groundwater of the highest quality.

IMPLEMENTATION STRATEGY

The Town will oppose any offshore exploration for energy sources through lobbying efforts and the adoption of local regulations as necessary.

11. Energy Facilities

BACKGROUND

Energy facilities other than electric power substations are deemed to be not compatible with the Town. There is strong public opinion that all utilities should be placed underground.

Over 85% of survey respondents agreed or strongly disagreed that new utilities should be placed underground, while 61.3% favored relocating existing overhead utilities underground.

The preferred method to fund relocation of overhead utilities was grants. The second preference, as reflected by responses written in, was Aother.@ In most cases the response written in was the Apower company or utilities.@ Contributions from effected individuals was the third preference while the use of ad valorem taxes was least preferred. Of those choosing to respond to the question concerning whether placement of new utilities lines underground or relocation of existing overhead utility lines should be supported by higher taxes and/or high utilities bills, 64.6% disagreed or strongly disagreed while 18.0% agreed or strongly agreed.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation c also identical c were partially carried out by the Town. The Town recently adopted regulations to

require underground utilities for new construction and substantial improvements to existing structures.

POLICY

The Town opposes the placement of public and multi-service energy facilities other than carefully planned substations within Town borders and supports the placement of utility lines underground.

IMPLEMENTATION STRATEGY

The Town will oppose the siting of public and multi-service energy facilities in the Town with the exception of carefully planned substations through lobbying efforts and the adoption of local regulations as necessary. It will enforce the underground utilities ordinance for new construction and substantial improvements to existing structures. Alternative energy facilities that commonly serve individual dwellings and structures will be reviewed on a case by case basis.

12. **Tourism**

BACKGROUND

Tourism is recognized as the backbone of the Kill Devil Hills economy. As the year-round population continues to grow, the seasonal population surge becomes greater each year. A service economy has also developed and a number of community leaders have begun a program to sponsor "season extender" special events that are scheduled just prior to or shortly after the traditional tourist season. These events help keep the service economy operational for a month or two longer. Support for tourism continues to be strong in Kill Devil Hills.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation c also identical c were partially carried out by the Town. The Town did not submit a resolution to legislators supporting tourism as an industry.

POLICY

The Town supports tourism and its recognition as an industry. The Town supports measures that promote and enhance its public image.

IMPLEMENTATION STRATEGY

The Town will take necessary steps to ensure that it will continue to be an attractive tourist destination. It will work with public and private entities to promote better public relations through training and community awareness campaigns.

13. Beach Accesses

BACKGROUND

Surveyed respondents were also asked to indicate their opinion about the expenditure of public funds to provide public shoreline access facilities. Support was given for use of public funds to develop and maintain shoreline access within Town. See Map 7.

Concerning the use of local funds to construct ocean beach accesses, 46.6% of survey respondents agreed, or strongly agreed, while 23.9% disagreed or strongly disagreed with this method of funding.

Concerning the use of local funds to construct sound accesses, 44.9% agreed or strongly agreed while 23.7% disagreed or strongly disagreed. Similarly, 44.3% of respondents agreed or strongly agreed (as opposed to 23.8% who disagreed or strongly disagreed) that the Town should purchase/acquire soundside property for public access to the sound.

Some residents believe that more regulation of the use of certain beach accesses needs to be studied and that placement of beach access facilities needs to be studied, particularly with regard to placing them in the center of Town versus each end of Town.

Concerning when dogs on leashes should be allowed on the beach the following opinions were expressed: 18.5% were of the opinion that dogs on leashes should be allowed on the beach at all times while 69.7% said no; 61.0% were in favor of dogs on leashes on the beach from September 15 through May 15 while 24.4% said no; and, 39.1% of respondents had the opinion that dogs on leashes

on the beach after 5:00 p.m. was acceptable while 43.7% said no.

A question concerning beach vending resulted in 79.0% disagreeing or strongly disagreeing that vendors should be allowed on the beach.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation c also identical c were carried out by the Town.

POLICY

The Town supports the provision of access to the shores for residents and visitors of Kill Devil Hills.

IMPLEMENTATION STRATEGY

The Town will continue to implement the Shoreline Access Plan and fund improvements through Town funds and grants when feasible.

The Town will implement its Shoreline Access Plan update 1997-98.

14. Basin-wide Watershed Planning

BACKGROUND

Generally, such plans primarily involve environmental quality of watershed basins with respect to:

- ! the human environment;
- ! waste disposal; and,
- ! water quality.

A policy similar to the policy which follows was included in the 1993 Update and the strategies for its implementation c also similar c were carried out by the Town.

POLICY

The Town supports the concept of basin-wide watershed planning but reserves the right to comment on implementation measures that may result from such studies.

IMPLEMENTATION STRATEGY

The Town will review the basin-wide watershed studies and comment as appropriate.

15. Recycling

BACKGROUND

N.C. Senate Bill 111, enacted in 1989, requires at least 25% of the total waste stream to be recycled by January 1, 1993. In March of 1990, Kill Devil Hills became the first beach municipality to institute a voluntary recycling program.

A policy similar to the policy which follows was included in the 1993 Update and the strategies for its implementation c also similar c were not carried out by the Town.

POLICY

The Town supports the current system of a centralized drop-off center and study of curbside recycling.

IMPLEMENTATION STRATEGY

The Town will continue to provide a centralized drop-off center.

The Town will study the implementation of a program of voluntary curbside recycling, which may include the purchase of equipment and promotional tools.

16. Consolidation

BACKGROUND

Community survey results indicate strong support (83.3%) for the consolidation of services that are economically feasible.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation c also identical c were carried out by the Town.

POLICY

The Town supports consolidation of services through interlocal agreements and contracts when

services can be provided more cost efficiently through such agreements.

IMPLEMENTATION STRATEGY

The Town will work with neighboring localities to consolidate services as opportunities present themselves.

17. Water Facilities

BACKGROUND

See Chapter III, Section B., part 10., item b., on, page III-22. Existing Water and Sewer Service Areas.

A policy identical to the policy which follows was included in the 1993 Update but similar strategies for its implementation were not carried out by the Town due to the transfer of the water system (plants and sources) to Dare County.

POLICY

The Town supports the economical and efficient provision of potable water to its citizens and the construction and maintenance of facilities as necessary. It supports the continued reliance on the Dare County Water Department for providing water. The Town will work with Dare County to study additional and alternative water sources.

IMPLEMENTATION STRATEGY

The Town will encourage the Dare County Water Department to conduct an area-wide water needs study within the next five years and will seek the support and cooperation of neighboring localities in this effort.

18. Water Conservation

BACKGROUND

Increased public awareness concerning the value and limited availability of water resources has prompted concern for water conservation measures.

A policy identical to the policy which follows was included in the 1993 Update and similar strategies for its implementation were carried out by the Town.

POLICY

The Town supports voluntary water conservation measures and the concept of government incentives for retrofitting older structures to accomplish this goal.

IMPLEMENTATION STRATEGY

The Town will continue to enforce the plumbing section of the North Carolina Building Code, requiring water conserving fixtures and devices. It will conduct public awareness and public education campaigns through its Utility Department.

The water division of the Town=s Utility Department will investigate and recommend water efficient home standards.

The Town=s Utility Department will use its newsletter to educate citizens and visitors about water conservation.

19. Sewer Facilities

BACKGROUND

The majority of Kill Devil Hills utilized packaged septic systems. However, there are two large wastewater treatment facilities operating within the Town. See Chapter III, Section B., part 10., item b., on page III-22, Existing Water and Sewer Service Areas.

Survey results indicate majority support (53.3%) for a municipal sewage treatment plant.

A policy similar to the policy which follows was included in the 1993 Update and strategies for its implementation were not carried out by the Town.

POLICY

The Town supports the establishment of a community-wide wastewater treatment facility within the Government and Institutional zone without surface water discharge of effluent. The Town supports periodic or regular inspections of private septic systems.

IMPLEMENTATION STRATEGY

The Town will conduct an area-wide water and sewer needs study within the next five years and will seek the support and cooperation of neighboring localities in this effort. The Town will encourage appropriate agencies to monitor and enforce existing regulations governing sewerage treatment facilities. The Town will work toward the elimination of existing point source discharge pipes for wastewater.

20. Signs

BACKGROUND

A revised sign ordinance was adopted on May 15, 1984. Portable signs were prohibited due to concerns about visual clutter, sight triangle blockage, and potential unsafe conditions during storms. In 1991, regulations were eased to allow for use of portable signs in times of emergency. Sign regulations differ between beach localities and confusion often results.

Concerning the size requirements for signs, 52.4% of survey respondents agreed or strongly agreed that the size requirements are satisfactory. Similarly, concerning the appearance of signs, 51.7% agreed or strongly agreed that sign appearance is generally satisfactory. Concerning regulations of neon signs, 73.6% agreed or strongly agreed that the Town should regulate these devices. Support or opposition concerning the acceptability of sandwich signs was even among respondents.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation were not fully carried out by the Town. Annual meetings with the business community were not held.

POLICY

The Town supports the regulation of signs through Chapter 21, Zoning, of the Town Code.

IMPLEMENTATION STRATEGY

The Town will continue to enforce sign related regulations found in Chapter 21 of the Town Code. The Town will work toward developing regulations

for neon signs and a uniform corridor overlay district.

21. Transportation - Local Streets

BACKGROUND

A Street Improvements Master Plan has been adopted by the Board of Commissioners. The Plan provides contemporary guidelines for street construction, roadbed preparation, drainage, and pavement width to accommodate on-street parking. Survey results indicate general support for road improvements although a Town-wide street bond referendum has failed twice previously. Street improvements have been made on a "pay as you go" basis, with the Town spending ad valorem tax dollars since 1987.

Concerning the expenditure of Town funds to pave unimproved (undeveloped) streets, 35.9% disagreed or strongly disagreed, while 32.0% agreed or strongly agreed. Interestingly, when asked for their opinion concerning the use of public funds to construct or improve streets, 69.8% agreed or strongly agreed, while only 6.7% disagreed or strongly disagreed.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation c also identical c were carried out by the Town.

POLICY

The Town supports a "pay as you go" policy for the construction and improvements of streets as may be necessary to improve traffic flow and drainage and accommodate new development. The Town supports the concept of requiring those who generate the demand to pay for the street improvements that may be necessary to provide for safe traffic movement. The Town is not opposed to the concept of alternative funding policies including special assessments.

The Town supports the provision of paved shoulders and detached bicycle trails for pedestrian and bicycle traffic in predetermined areas.

IMPLEMENTATION STRATEGY

The Town will continue to implement and update the Street Improvements Master Plan as adopted by the Board of Commissioners. It will continue to enforce local street construction specifications as set forth in the Town Code. It will investigate alternative funding methods and policies.

22. Transportation - Interjurisdictional Roads

BACKGROUND

The Town and its neighbors have been unified and consistent with respect to transportation system improvements requests. Three main interjurisdictional roads traverse Kill Devil Hills. Each, as discussed below, have been improved or are scheduled for improvement by the North Carolina Department of Transportation.

- ! U.S. 158 (Croatan Highway) -- This system has been five-lane from a point near the Wright Brothers Bridge to the Midway intersection. The Washington-Baum Bridge over the Roanoke Sound has been replaced with a four-lane structure.
- ! NC 12 (Virginia Dare Trail) -- In 1991, this route was widened and provided a four foot wide shoulder.
- ! SR 1217 (Colington Road) -- This route has been widened to three lanes from U.S. 158 to Ocean Bay Boulevard in the vicinity of the Kill Devil Hills Administrative and Public works complex.

Concerning whether U.S. 158 (N. Croatan Highway) should be widened to have a total of seven (7) lanes (3 northbound, 3 southbound, one center turn lane), 62.2% disagreed or strongly disagreed while 24.8 agreed or strongly agreed.

Concerning the widening of U.S. 158 (N. Croatan Highway) to six (6) lanes and a divided, limited access, landscaped median, 27.3% agreed or strongly agreed, while 59.1% disagreed or strongly disagreed.

Concerning whether milemarkers should be painted on the road surface of U.S. 158 (N. Croatan Highway), 46.1% agreed or strongly agreed while 32.6% disagreed or strongly disagreed.

A policy similar to the policy which follows was included in the 1993 Update and the strategies for its implementation c also similar c were carried out by the Town.

POLICY

The Town supports the 1995 Outer Banks Thoroughfare Plan, but reserves the right to comment on specific elements prior to its implementation.

The Town supports the expeditious completion of the following interjurisdictional road improvement projects by the North Carolina Department of Transportation:

- ! Projects necessary to mitigate drainage problems and provide pedestrian and bicycle amenities along NC 12.
- ! Replace all wire and pole signals with mast arm signals.
- ! Projects necessary to improve the entire SR 1217 corridor including bridge replacements and widening to facilitate bicycle traffic.
- ! Four-laning of U.S. 64 from Raleigh to the coast.
- ! Construction of AGateway to Midway Bridge@ across Croatan Sound.
- ! Resurfacing/safe redesign/reconstruction of U.S. 158.

IMPLEMENTATION STRATEGY

The Town will forward comments, letters, and resolutions in conjunction with other area localities in a unified effort to the North Carolina Department of Transportation and will attend and speak at public hearings as necessary -- such as the annual Transportation Improvements Plan meeting --concerning the State's First District Annual Transportation Improvement Plans.

23. Regulation of Short Term Rentals

BACKGROUND

Identified as an issue by citizens and planners, problems from noise, parking, and overcrowding continue throughout the rental season and present a challenge to the Town's enforcement and regulatory staff. The Town has regulations regarding noise and parking.

A policy identical to the policy which follows was included in the 1993 Update but the strategies for its implementation c also identical c were not fully carried out by the Town. No code of conduct for renters was developed and displayed in rental units and public places.

POLICY

The Town supports the vigorous enforcement of rules and regulations mitigating the adverse effects of problems associated with short term rentals.

IMPLEMENTATION STRATEGY

The Town will continue to enforce existing rules and regulations. The Town will define short term rentals, analyze existing regulations that apply, and examine the need for additional regulations. The Town Planning Board will work with the Board of Realtors, Chamber of Commerce, and Tourism Board to develop a code of conduct to be displayed in rental units and at various public places.

24. Recreation

BACKGROUND

The Town has adopted and is implementing the Town of Kill Devil Hills Recreation Facilities Plan Update, 1997. A capital reserve fund for recreation and recreational facilities continues to be budgeted.

In recent years, Recreational Facilities Plan has been implemented. Similarly, the Dare County Family Recreation Park along Mustian Drive was completed by Dare County in 1997.

Concerning recreational uses at Fresh Pond, 46.0% agreed or strongly agreed that fishing and passive recreation should be allowed at the site. Only 18.1% of respondents disagreed or strongly disagreed.

Concerning the use of public funds to construct parks and recreation facilities, 56.2% agreed or strongly agreed while only 15.6% disagreed or strongly disagreed with this concept. Concerning the use of admission fees to construct and maintain such facilities, 38.5% agreed or strongly agreed while 36.4% disagreed or strongly disagreed.

Respondents overwhelmingly preferred (69.4%) the use of other funds such as grants or donations to construct parks and recreational facilities. Only 5.4% disagreed or strongly disagreed with the use of these funding sources.

A policy identical to the policy which follows was included in the 1993 Update and similar strategies for its implementation were carried out by the Town.

POLICY

The Town supports the provision of adequate, accessible, and well-maintained public recreational facilities geared toward children and the year-round population. It also supports organized recreational activities.

IMPLEMENTATION STRATEGY

The Town will continue to implement the Recreational Facilities Plan utilizing public funds.

25. Community Appearance

BACKGROUND

The Planning Board continues to serve as the de-facto Community Appearance Committee. Planning Board members, and professional staff have discussed the need for more action regarding roadside and beach litter. Programs such as "Adopt-a-Street" or "Adopt-a-Beach" and Trash Attack! have been implemented.

A policy identical to the policy which follows was included in the 1993 Update but the strategies for its implementation were not fully carried out by the Town as it did not appoint a Community Appearance Committee nor did it locate recycling containers at beach accesses.

POLICY

The Planning Board will continue to serve as the Community Appearance Committee. The Committee would select recipients of Community Appearance Awards and advise the Board on methods by which the community's appearance might be improved including studies and recommendations as may be necessary to address the problem of litter on beaches and along roads.

IMPLEMENTATION STRATEGY

The Town will promote the "Adopt-a-Beach" program and Trash Attack! and educate the public through local media concerning community appearance needs. The Town will consider locating recycling containers at beach accesses and the installation of roadside litter receptacles.

26. **Annexation**

BACKGROUND

Survey results indicate slight support for the institution of extraterritorial planning jurisdiction in the Colington Island and Baum Bay areas but less support for extension of extraterritorial jurisdiction off shore as provided for in Article 19, Section 160A-360 of the North Carolina Administrative Code. Of those choosing to give an opinion concerning extension of Town extraterritorial jurisdiction into the Colington Island and Baum Bay areas, 39.7% agreed or strongly agreed with this notion while 28.7% disagreed or strongly disagreed. Of those choosing to give an opinion concerning extension of Town extraterritorial jurisdiction offshore, 41.0% disagreed or strongly disagreed while 17.0% agreed or strongly agreed.

In 1990, an administrative staff's cost-benefit study indicated that annexation was not cost beneficial to the Town.

Dare County implemented a zoning plan for the Colington area

A policy identical to the policy which follows was included in the 1993 Update but the strategies for its implementation were not fully carried out by the Town since Dare County developed a zoning plan for the Colington area,

thus eliminating the need for the Town to similarly intervene.

POLICY

The Town supports the regulation of land uses of unincorporated land within one mile of the Town's jurisdictional limit and is not opposed to participating in friendly annexations if favorable to the Town.

IMPLEMENTATION STRATEGY

The Town will consider beneficial annexations.

The Town will require proof of jurisdictional location for parcels proposed for development prior to consideration.

27. Historic Preservation

BACKGROUND

There are few structures in Kill Devil Hills that qualify for nomination to the National Register of Historic Structures. This is due to storms and hurricanes and the fact that most construction and development is relatively new (the Town has only been incorporated for 44 years). However, the Town is committed to the identification of those few structures that may qualify for historic status.

Some public support has been voiced from a multi-jurisdictional landscaping project along U.S. 158 in conjunction with the 2003 celebration commemorating the Wright Brothers= historic first flight. Also, the Town asked neighboring jurisdictions for input and support concerning a uniform historical corridor or district along U.S. 158.

When asked whether the Town should study and establish a historical district in conjunction with the upcoming (2003) celebration of the 100th anniversary of the Wright Brothers= first flight, 51.0% of survey respondents agreed or strongly agreed, while 21.5% disagreed or strongly disagreed.

A policy identical to the policy which follows was included in the 1993 update but the

strategies for its implementation were not carried out by the Town as it did not appoint a Historic Preservation Committee.

POLICY

The Town favors the identification of historic structures and the establishment of a Historic Preservation Committee to help identify such structures -- paying particular attention to the original Coast Guard Station.

IMPLEMENTATION STRATEGY

The Town will appoint a Planning Board Historic Preservation Sub-committee c inviting citizen participation and membership c within the next five years and charge it with the identification of historic structures in Kill Devil Hills which will lead to registration.

28. Housing Mix

BACKGROUND

Since 1980, the Town has followed a plan that reserves the bulk of available land in Kill Devil Hills for detached single family residential structures. From 1983-1985, a comprehensive rezoning master plan was implemented. In November 1991, the zoning text was modified to complete this effort. The Town's Zoning Map was amended to reflect a three-tier format of land use, with the majority of the land use west of U.S. 158 (Croatan Highway) placed in the Town's most restrictive residential class. Multi-family development west of U.S. 158 is a conditional use and is not encouraged. Those areas zoned for Business uses between NC 12 and U.S. 158 are also suitable for multi-family residential development. Land use east of NC 12 has been identified as subject to ocean overwash, storm surge, and shoreline migration and is subject to a number of special restrictions such as reduced densities, height restrictions, and a reduction of permitted uses as indicated in the text of the recently adopted Ocean Impact Residential Zoning District. The 3rd Street and Ocean Bay Boulevard corridor serves to break up the established commercial district and provides a scenic vista corridor for the Wright Brothers Memorial Monument.

Concerning local government involvement in promoting affordable housing, 55.5% of respondents disagreed or strongly disagreed that such involvement is needed while 54.1% agreed or strongly agreed that private interests should be involved in this regard.

Concerning additional multi-family/condominium development in Town, 62.4% agreed or strongly agreed that such development should be prohibited west of U.S. 158 (Croatan Highway).

A policy identical to the policy which follows was included in the 1993 Update but the strategies for its implementation were not fully carried out by the Town as it did not create a residential only zoning district and a village commercial zoning district.

POLICY

The Town will continue its three-tier approach to land use and housing mix, with land use west of U.S. 158 reserved primarily for detached single family residential use, restrictive zoning guidelines for land use east of NC 12 and highest and best use zoning districts between the two highways at the North and South ends of the Town.

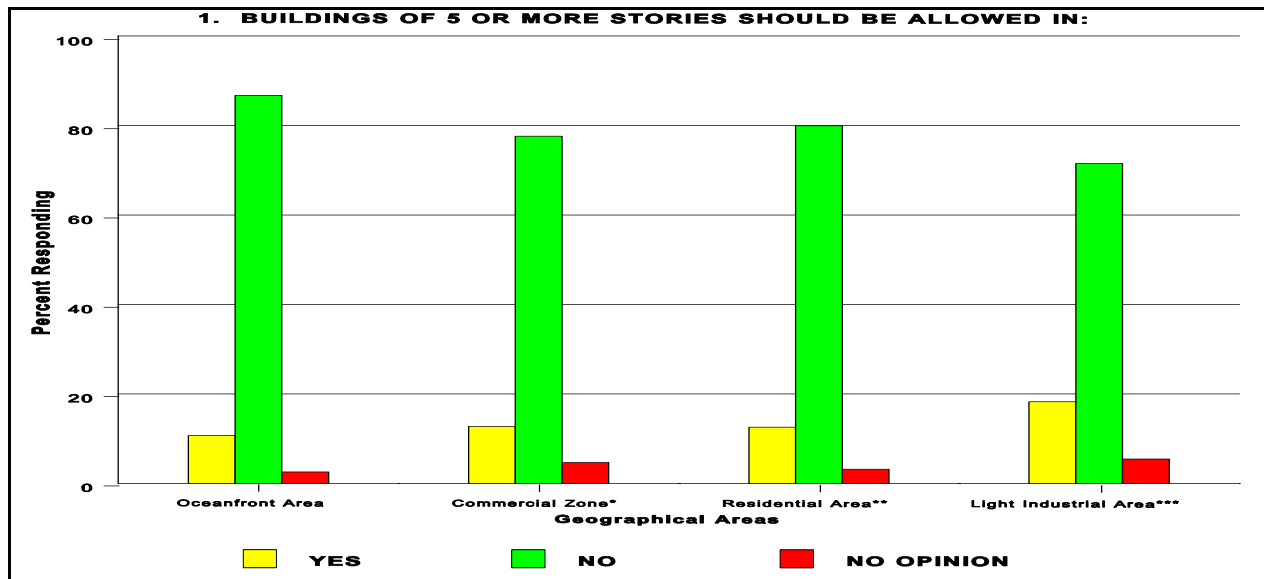
IMPLEMENTATION STRATEGY

The Town will continue to staff a full-time Planning and Development Department with personnel capable of enforcing land use and building regulations. The Town will continue to evaluate the applicability of the three-tier approach and study changes as necessary. The Town will consider the creation of a residential only zoning district, a resort-residential only zoning district (allowing short term rentals), and a village commercial zoning district within the next five years.

29. **Building Heights**

BACKGROUND

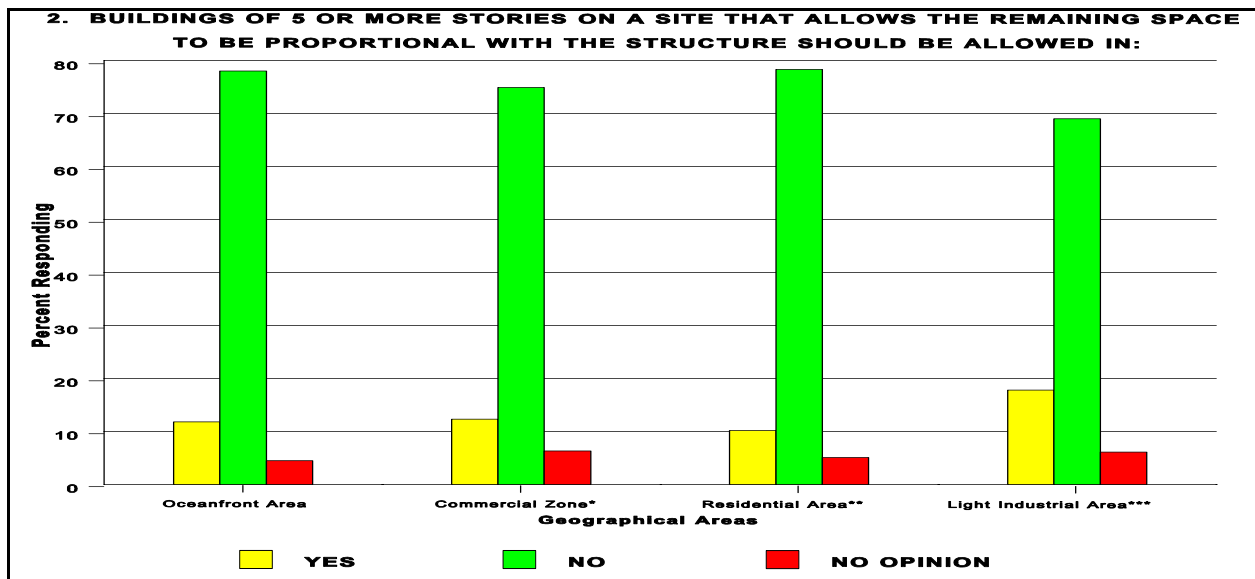
In 1982, the Board of Commissioners adopted a construction moratorium on buildings in excess of 35 feet. The prevailing opinion was that the Town should endeavor to preserve a low profile skyline, especially along the oceanfront. As a result, a compromise set of regulations was drafted and adopted that limit building heights



on the oceanfront and in the residential districts to 42 feet, with no habitable space above 35 feet. The remaining 7 feet are reserved for roofline design and attic space. A 50 foot building height limit continues to remain in effect in the commercial zoning districts. Survey results indicate strong support (80.5%) for current building heights limitations.

The following graphs reflect opinions received concerning the placement of multiple storied structures in various Town areas.

- * Between U.S. 158 and NC 12
- ** West of U.S. 158
- *** West of U.S. 158



* Between U.S. 158 and NC 12

** West of U.S. 158

*** West of U.S. 158

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation c also identical c were carried out by the Town.

POLICY

The Town supports the maintenance of its traditional low-profile image and skyline by limiting oceanfront and residential district building heights to not more than 42 total feet. A maximum building height of 50 feet in the commercial and light industrial zoning districts is also supported.

IMPLEMENTATION STRATEGY

The Town will continue to enforce Chapter 21, Zoning, of the Town Code.

30. Health

BACKGROUND

A regional medical center in Kitty Hawk and an urgent care facility in Nags Head. Support for a full service hospital continues. A certificate of need has been approved and interest is increasing for a hospital in Dare County.

Respondents (78.8%) overwhelming agreed or strongly agreed that access to quality medical care is a major concern for Town (Outer

Banks) residents while only 5.5% disagreed or strongly disagreed with the statement.

A policy similar to the policy which follows was included in the 1993 Update and the strategies for its implementation -- also identical -- were carried out by the Town.

POLICY

The Town supports the continued provision of quality, affordable health care and the construction of a full service hospital in Dare County.

IMPLEMENTATION STRATEGY

The Town will continue to lobby for the modification of the area wide health services plan to include Dare County as a candidate for a hospital.

31. **Education**

BACKGROUND

Two new schools, First Flight Elementary and First Flight Middle School opened in the 1991-92 school year. Both are located on the Baum Tract. Dare County continues to plan for a new high school on the beach, specifically the Baum Tract which is supported by the Town.

A policy identical to the policy which follows was included in the 1993 Update and the strategies for its implementation -- also identical -- were carried out by the Town.

POLICY

The Town supports the construction of additional educational facilities as may be necessary -- particularly a high school -- in Kill Devil Hills, on the Baum Tract.

IMPLEMENTATION STRATEGY

The Town will continue to support the construction of Dare County school facilities on the Baum Tract.

32. **Capital Improvement**

BACKGROUND

One of the most important elements in any plan for a community experiencing growth is a capital improvement plan. As population increases, a greater demand for governmental services is created. Those services are often costly items, and to meet the cost and

provide services, local governments must attempt to project what the service demand (and cost) will be and make plans to meet the increased demand prior to the actual point in time when the demand is a reality. In 1997, the Town developed its first capital improvement plan although, as previously stated, Kill Devil Hills has a history of budgeting for certain capital expenditures.

A policy similar to the policy which follows was included in the 1993 Update and the strategies for its implementation were carried out by the Town.

POLICY

The Town supports the concept of capital improvement planning.

IMPLEMENTATION STRATEGY

The Town will amend its Capital Improvement Plan annually during the planning period.

The Town will conduct annual capital planning workshops prior to the budgeting process.

33. **Growth**

BACKGROUND

The development of previously undeveloped land in Currituck County may come to fruition and effect growth in Dare County and Kill Devil Hills. The key for Kill Devil Hills is to keep land values in line with other communities. The fact that the land in Kill Devil Hills was platted long ago has predetermined development patterns to a large degree. However, redevelopment patterns must receive more attention.

Survey results indicate support for not increasing population densities while the overall opinion of Town services is satisfactory.

A policy similar to the policy which follows was included in the 1993 Update and the strategies for its implementation were carried out by the Town.

POLICY

The Town supports current regulatory efforts to maintain a moderate growth rate with a 2002-03 target permanent population of approximately 6,100 persons and a target peak population of approximately 48,000. It also supports government action to promote redevelopment and to make the Town a more desirable place to live and locate.

IMPLEMENTATION STRATEGY

The Town will continue to enforce existing regulations and evaluate demographic information as it is supplied by county, regional, State, and Federal agencies.

34. Adult Entertainment

BACKGROUND

Adult establishments include adult bookstores, adult motion picture theaters, adult mini motion picture theaters, adult live entertainment businesses, or some massage businesses. While the First Amendment to the United States Constitution protects certain rights with respect to the exercise of free speech, studies in many communities have demonstrated that the establishment of certain adult businesses located near residential areas has a deleterious effect on both the business and residential segments of the neighborhood, causing a downgrading of property values. It has been further demonstrated that the establishment of some adult businesses often creates problems for law enforcement agencies, by the very nature of these businesses and the difficulty often experienced in trying to determine if the operations are of a legal nature. Further, the Town of Kill Devil Hills has a long standing history and reputation of being a family oriented beach resort community and tourism being the overwhelming largest industry for the Town.

Concerning adult establishments, 79.8% disagreed or strongly disagreed that the presence of such establishments would enhance the vacation/resort attraction of the Town for vacationers. A great majority of respondents (73.3%) agreed or strongly agreed that the presence of such establishments would negatively influence their decision to buy a vacation cottage or home in Town, while 67.1% of respondents agreed or strongly agreed that the presence of such establishments would negatively influence their decision to vacation in a resort area.

The policy and implementation strategies which follow represent the first developed by the Town with respect to this land use issue.

POLICY

The Town supports enhancements to and the preservation of its family beach atmosphere and thus does not encourage the

construction, establishment, location, or operation of adult establishments within its borders or jurisdiction. However, the Town will permit those establishments in compliance with Town Codes.

IMPLEMENTATION STRATEGY

The Town will continue to enforce Chapter 21, Zoning, of the Town Code and amendments that minimize the impacts of adult establishments on commercial and residential development and the tourism industry. The Town will seek cooperative efforts among Outer Banks localities to mitigate the impacts of such developments.

35. Jet Skis and Personal Water Craft

BACKGROUND

The increase in the number of jet skis and personal water craft in the waters surrounding the Town and the manner of use of such craft by some operators has caused complaints and concerns to be voiced to Town officials, indicating the need to study the situation and the Town regulatory position.

Concerning the regulation of personal water craft use in the ocean, 59.1% agreed or strongly agreed that additional regulation is needed. With respect to their use in the sound, 62.2% of those responding said additional regulation is needed.

The policy and implementation strategies which follow represent the first developed by the Town with respect to this land use issue.

POLICY

The Town supports the safe and regulated operation and use of jet skis and personal water craft in its waters.

IMPLEMENTATION STRATEGY

The Town will continue to enforce Town Codes of the Town Code. The Town will receive and respond as appropriate to complaints or concerns voiced by residents and visitors concerning jet ski and personal water craft use.

The Town will consider adopting regulations for the use of these craft.

36. Insurance

BACKGROUND

In the wake of storm events in the early and mid 1990's, insurance companies have made purchasing insurance more expensive and more difficult to obtain. Insurance pools are now common as beach localities try to assist residents and property owners to obtain insurance.

Concerning the issue of insurance availability, 86.4% agreed or strongly agreed that the Town should seek State and Federal assistance to help ensure the availability of insurance.

The policy and implementation strategies which follow represent the first developed by the Town with respect to this land use issue.

POLICY

The Town supports measures to provide continuous affordable insurance for Outer Banks residents and property owners.

IMPLEMENTATION STRATEGY

The Town will lobby the State Insurance Commission and State Legislature to seek help in guaranteeing that insurance is affordable and available.

37. Vegetation Removal

BACKGROUND

Vegetation, particularly in coastal communities, is a valuable resource. Vegetation serves to block wind, control erosion, slow stormwater runoff, and thus slow down or mitigate the effects of flooding.

Vegetation in coastal communities faces many obstacles including a tough growing environment and removal or damage by development concerns.

Concerning whether the Town should develop and implement regulations to prohibit the removal of depletion of natural vegetation, 77,8% of survey

respondents agreed or strongly agreed while only 9.2% disagreed or strongly disagreed.

The policy and implementation strategies which follow represent the first developed by the Town with respect to this land use issue.

POLICY

The Town supports retaining existing vegetation on lots and parcels to the extent practicable. The Town supports regulations to require preservation of existing vegetation.

IMPLEMENTATION STRATEGY

The Town will study regulations to require vegetative surveys and the design of lots and location of buildings on lots to retain existing vegetation as much as possible.

F. Public Education and Citizen Participation

BACKGROUND

Rule 0.215 - Public Participation, Subchapter 7B, of the North Carolina Administrative Code(March 5, 1996) requires localities to:

...employ a variety of educational efforts and participation techniques to assure that all segments of the community have a full and adequate opportunity to be informed and to effectively participate in planning decision-making.

The Board of Commissioners adopted a citizen participation plan designed to give the public an opportunity to voice its views on all required policy items throughout the 1997 Town of Kill Devil Land Use Plan Update. Several public education and citizen participation strategies were to be used by the Town to accomplish this objective and thus fulfill legal requirements. The Town Planning Board was designated as the principal local board responsible for supervision of the 1997 Town of Kill Devil Hills Land Use Plan Update. The Public Education and Citizen Participation Plan is included as APPENDIX 2.

Citizen participation in the planning process promotes public education regarding land use issues, policy development, and regulatory procedures. The Town proceeds from this premise, thereby furthering public education on planning issues while obtaining citizen

input in developing land use plan policy statements and allowing for continued public participation in the planning process. To ensure that all economic, social, ethnic, and cultural view points are properly considered in the updating process, the Town utilizes a variety of public education and citizen participation strategies including public opinion surveys, direct citizen participation, interest group participation, and media participation.

At the beginning of the update process, the Town conducted workshops to discuss land use issues, policies, and implementation strategies. One such workshop, called VISION 2010, was held in November, 1996. In addition to the Board of Commissioners, Planning Board, citizens, and staff, State representatives and planning consultants were used to re-examine each of the Town's land use policies and implementation strategies. The Town also held a public meeting on April 1, 1997 at which time citizens were asked to identify and rank issues as to their determination of importance. In addition, exhibit boards containing policy statements were displayed at Town Hall so that those coming to the building to transact business could comment in writing, on the boards concerning opinions and concerns.

In July, 1997, the Town distributed a public opinion survey. Of the 7,000 surveys distributed, 1,500 (21.4%) were returned by the August cutoff date. Although surveys received after the cutoff date were not included in the percentages quoted in the previous issue areas= BACKGROUND discussion, the staff of the Planning Department reviews surveys received and is charting trends and opinions.

Concerning opportunities to participate in local/community affairs, 65.5% of survey respondents agreed or strongly agreed that citizens have adequate opportunities to participate. Only 11.0% disagreed or strongly disagreed.

POLICY

The Town of Kill Devil Hills encourages public participation in all land use decisions and procedure development processes and encourages citizen input via its boards, commissions, and agencies.

IMPLEMENTATION STRATEGY

The Town will continue to use advertisements in newspapers, radio public service announcements, and direct mailings to announce meetings and encourage

participation by citizens, interest groups, news media, and other interested parties. Meeting notices will also be posted on bulletin boards and information desks where appropriate. Efforts will be made to attend civic club meetings and the like to further expose the planning process to the public.

G. Natural Hazards Planning

1. Introduction

The Division of Coastal Management encourages local governments to focus on three phases of natural hazards planning. These include storm hazard mitigation, post disaster recovery, and evacuation plans.

The Town, in 1996, prepared a Storm Hazard Mitigation and Post Disaster Reconstruction Plan to incorporate the required issue areas and to accurately portray and set forth the duties and responsibilities of the Town, Dare County, and those agencies and personnel called upon in time of emergency. The executive summary from the plan is included as APPENDIX 3.

2. Storm Hazard Mitigation

BACKGROUND

Storm hazards are far more serious than commonly perceived. The series of tornadoes which struck eastern North Carolina in March of 1984 and publicity surrounding the devastation caused by Hurricane Hugo in 1989 and Hurricane Andrew in 1992, have increased awareness of the need for storm hazard mitigation and natural hazards planning.

There are numerous natural hazards and many are likely to occur in Kill Devil Hills. These include:

- ! flooding and erosion;
- ! high winds (hurricanes and northeasters);
- ! tornadoes; and,
- ! snow and ice storms.

Of particular importance to Outer Banks localities' land use planning are storms and their resultant erosion, flooding, and high winds. In order to effectively plan for such hazards, a comprehensive approach is necessary.

Because of the proximity of the Atlantic Ocean and the Roanoke Sound and the nature of the barrier island upon which Kill Devil Hills is located, the occurrence of a major hurricane could create a hazard zone that would encompass the entire community. Depending upon the severity and nature of the storm striking Kill Devil Hills, certain lower lying areas would be subject to flooding initially with the higher areas containing development remaining relatively safe except during the most severe of storms.

Development has been intense within the hazard zones of Kill Devil Hills although most of it has occurred in the higher, less floodprone areas of the Town. As the Town's population and reliance on tourism increases, there will be a greater demand for intensifying water oriented land uses. Kill Devil Hills is in the mainstream of intense coastal development pressures and it should be anticipated that further development in and near hazard areas will occur.

At the present time there are some mitigation policies in effect. Kill Devil Hills has a zoning ordinance, building codes, and a flood damage prevention ordinance. Other regulations include National Flood Insurance Program regulations and State and Federal emergency management regulations.

Currently, Kill Devil Hills permits development to occur in hazard areas. Similarly, it is expected that development within the hazard areas will occur in the future. If development is to occur in these areas it should be hazard-resistant. Where and what kind of development should occur in Kill Devil Hills, and how this development should be constructed so as to minimize damage in the event of a major storm are questions facing those that formulate policies and regulations in the Town.

POLICY

The Town supports the implementation, as necessary, of its Storm Hazard Mitigation and Post Disaster Reconstruction Plan. It also supports the continued enforcement of the Kill Devil Hills Flood Damage Prevention Ordinance, the continued implementation of the area-wide street address ordinance, and the establishment of a post-disaster fund of state monies to supplement Federal disaster relief aid to be

allocated to North Carolina communities that have been declared major disasters.

IMPLEMENTATION STRATEGY

The Town will continue to enforce existing ordinances and take measures as necessary to enhance storm hazard mitigation efforts including support of the Dare County Emergency Management Plan.

The Town will identify supplemental emergency powers that State statutes allow and seek the necessary authorization from the state to exercise same.

The Town will implement, as necessary, its Storm Hazard Mitigation Post Disaster Reconstruction Plan.

3. Post-disaster Recovery

BACKGROUND

Clearly defined post-disaster recovery procedures will permit Kill Devil Hills to deal with the aftermath of a storm in an organized and efficient manner.

Post-disaster recovery encompasses three distinct reconstruction periods. The emergency period is the reconstruction phase immediately after a storm. The emphasis is on restoring public health and safety, assessing the nature and extent of storm damage and qualifying for and obtaining Federal and State assistance. The restoration period is the weeks and months following a storm disaster. The emphasis during this period is on restoring community facilities and utilities and essential business so the municipality can return to normal activities. The replacement period is the period during which the community is rebuilt. This period could last from months to years depending on the nature and extent of the damages incurred.

POLICY

The Town supports the continued use of procedures currently in place and the implementation, as necessary, of its Storm Hazard Mitigation and Post Disaster Reconstruction Plan. It also supports the Dare County Emergency Management Plan.

IMPLEMENTATION STRATEGY

The Town will implement, as necessary, its Storm Hazard Mitigation and Post Disaster Reconstruction Plan.

4. Hurricane Evacuation

BACKGROUND

Difficulties can be anticipated should evacuation be necessary during a period of peak population.

The need for additional improvements to the evacuation routes and bridges has been identified. However, 51.0% of survey respondents disagreed that plans for the evacuation of the island in the event of a major storm during peak tourist season are adequate.

Dare County is required to evaluate the adequacy of evacuation routes used in emergency situations. The routes should be critically assessed for their efficient use. If the required evacuation time exceeds the standard warning time as provided by the National Weather Service, officials should consider adopting policies which would improve the adequacy of the routes. This step may involve coordination with the North Carolina Division of Emergency Management (DEM) and the North Carolina Department of Transportation (NCDOT).

With respect to evaluation plans, 59.0% of survey respondents agreed or strongly agreed that plans for evacuation of the island in the event of a major storm during peak tourist season are adequate, while only 14.8% disagreed or strongly disagreed.

POLICY

The Town supports:

- ! annual awareness campaigns and evacuation exercises;
- ! bridge and road improvements as may be necessary to increase traffic flow on evacuation routes;

- ! continuation of a full time Emergency Management Coordinator and an annual update of the Dare County Hurricane Evacuation Master Plan and Disaster Assessment Team Personnel Roster;
- ! erection of evacuation route identification signs during the hurricane season;
- ! a back-up evacuation shelter design feature to those new public structures that may be built by the Town in the future; and,
- ! implementation, as necessary, of its Storm Hazard Mitigation and Post Disaster Reconstruction Plan.

IMPLEMENTATION STRATEGY

The Town will participate in Dare County evacuation drills and damage assessment teams, support and lobby for improvements to evacuation routes and bridges and review plans for new publicly owned structures for the inclusion of back-up shelter features.

The Town will implement, as necessary, its Storm Hazard Mitigation and Post Disaster Reconstruction Plan.

V. LAND CLASSIFICATION SYSTEM

A. Introduction

As provided for in Subchapter 7B of the North Carolina Administrative Code, March 6, 1996, a land classification system has been developed as a means of assisting Kill Devil Hills in the implementation of land use policies adopted herein. Delineation of land classes on the land classification map allows the Town to specify areas where certain policies apply. The land classification system is intended to be supported and complemented by zoning, subdivision and other local growth management tools and these local tools should be consistent with the classification system as much as possible.

The land classification system provides a framework to be used by the Town to identify the present and future use of all lands. As such, the land classification system is a tool to help implement policies. The designation of land classes allows the Town to illustrate its policy statements as to where and to what density it wants growth to occur and where it wants to conserve natural and cultural resources by guiding growth.

SOURCE: North Carolina Administrative Code (03/06/96).

Land suitability constraints including physical limitations for development, (hazard areas, soil limitations, water sources, etc.), areas of environmental concern and fragile areas, and areas with resource potential influenced the designation of areas in the land classification system because development is and will be impacted, negated or accelerated by such factors.

B. Land Classifications

The land classification system can include seven basic classes and various subclasses. The basic classes include developed, urban transition, limited transition, community, rural, rural with services, and conservation. The Town has identified and mapped four classes of land uses. See MAP 8. Chapter 21, Zoning of the Town Code and the land classification system must complement each other and be used in unison to guide growth and development in Kill Devil Hills. In the paragraphs that follow, the development patterns in and those planned (zoned) for various areas are discussed. The classes are described as follows:

1. Developed

The purpose of developed class is to provide for continued intensive development and redevelopment. Areas meeting the intent of the developed classification are currently urban in character where minimal undeveloped land remains and have in place, or are scheduled for the timely provision of, the usual municipal or public services. Urban in character includes mixed land uses such as residential, commercial, industrial, institutional, and other uses at high to moderate densities. Services include water, sewer, recreational facilities, streets and roads, police and fire protection. In some instances an area may not have all the traditional urban services in place, but if it otherwise has a developed character and is scheduled for the timely provision of these services, it still meets the intent of the developed classification. Areas developed for predominantly residential purposes meet the intent of this classification if they exhibit:

- ! a density of 3 or more dwelling units per acre; or,
- ! a majority of lots of 15,000 square feet or less, which are provided or scheduled to be provided with the traditional urban services; and/or,
- ! permanent population densities are high and seasonal populations may swell significantly.

Land in this classification provides the setting for the most intensive levels of development in Kill Devil Hills. Most basic public services are available in this class and permissible housing densities and commercial uses are the most liberal available in Kill Devil Hills.

2. Limited Transition

The purpose of the limited transition class is to provide for future urban development on lands that are suitable and that will be provided with the necessary urban services to support urban development. Areas meeting the intent of this classification are presently being developed for urban purposes or will be developed in the next five to ten years to accommodate anticipated population and urban growth. These areas are in, or will be in an urban "transition" state of development going from lower intensity uses to

higher intensity uses and as such will eventually require urban services.

Areas classified limited transition will provide lands for urban growth when lands in the developed class are not available. Transition lands must be able to support urban development and be served or readily served by urban services. Urban development includes mixed land uses such as residential, commercial, institutional, and other uses at moderate densities. Urban services include water, sewer, streets and roads, police and fire protection that will be made available at the time development occurs or soon thereafter.

The characteristics of this land make it suitable for future development without the potential for the loss of irreplaceable natural resources. In Kill Devil Hills, land in this class include the Baum Tract, which is owned by the Town, Dare County, Board of Education, the State and private interests.

3. Community

The purpose of the community class is to provide for clustered, mixed land uses at low densities for housing. Areas meeting the intent of the community class are presently developed at low densities which are suitable for private septic tank use. These areas are clustered residential land uses which provide housing opportunities and a local social sense of "community." Municipal type services such as fire protection and community water may be available. The major characteristics which distinguishes community with limited services from the developed and transition classes is that services are not provided to stimulate intense development, but rather to neutralize or avert health problems as in the case of Ocean Acres, which is served by a municipal wastewater treatment plant.

Lands in this classification provide for a mix of low density housing and are generally not serviced by off-site wastewater treatment plants.

Single family residential lots of 12-15,000 square feet dominate this land class in Kill Devil Hills, with housing densities limited to nine units per acre. This is an existing condition caused by the presence of lots platted prior to applicable regulations. Although developed past the rural stage, this land class is generally limited in its ability to sustain urban growth by the absence of wastewater treatment.

Generally, this classification applies in the Town's developed residential areas including the oceanfront and the scenic area for the Wright Brothers Memorial west of U.S. 158.

4. Conservation

The purpose of the conservation class is to provide for effective long-term management and protection of significant, limited, or irreplaceable areas. Management is needed due to the natural, cultural, recreational, scenic or natural productive values of both local and more than local concern. Areas meeting the intent of this classification include:

- ! AEC's, including but not limited to public trust waters, estuarine waters, coastal wetlands, etc. as identified in 15A NCAC 7H; and

! other similar lands, environmentally significant because of their natural role in the integrity of the coastal region and include, but are not limited to, bottom land hardwoods, pocosins, swamp forest, areas that are or have high probability of providing wildlife habitat, forest lands that are essentially undeveloped, and lands which otherwise contain significant productive, natural, scenic, cultural, or recreational resources.

The conservation class is designed to illustrate the natural, productive, scenic, cultural and recreational features of Kill Devil Hills which make it a desirable place in which to live, work, and visit. As such the conservation class should be applied to areas that because of their unique, productive, limited, cultural, or natural features, should either not be developed at all (preserved), or if developed, done so in an extremely limited and cautious fashion.

Lands in this classification have been identified as retaining significant or irreplaceable natural resources, scenic vistas, recreational sites, or cultural values to such a degree that careful management practices are necessary to insure the long-term viability of those resources. Only carefully planned and managed development is recommended on lands in this class.

Generally, lands in this classification are found in the maritime forest and the Wright Brothers National Historic Site.

Acceptable uses include but are not limited to recreation areas, residential uses, and Town-owned or leased facilities.

SOURCES: Department of Planning and Development, Town of Kill Devil Hills, North Carolina and 1993 Town of Kill Devil Hills Land Use Plan.

WORKSHOPS AND MEETINGS

Commencing with a planning workshop called VISION 2010 on November 7, 1996 and continuing with the public opinion survey, citizen participation in the planning process was encouraged throughout the development of the 1997 Town of Kill Devil Hills Land Use Plan Update.

In March, 1997, the Board of Commissioners adopted the Public Education and Citizen Participation Plan. As described in the Plan (See APPENDIX 2), round-table discussions were held during regularly scheduled Planning Board meetings on the first and third Tuesday of each month. Minutes of these meetings, public notices, and media accounts relating to the development and adoption of the 1997 Update are on file in the Town Administrative Offices.

The Town's Director of Planning and Development invited input and discussed the land use plan update with other Outer Banks professional planners at quarterly, area-wide planners' luncheons.

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APPENDIX 1

PUBLIC EDUCATION AND CITIZEN PARTICIPATION PLAN
FOR USE IN PREPARING
THE
1997 TOWN OF KILL DEVIL HILLS LAND USE PLAN UPDATE

ADOPTED BY BOARD OF COMMISSIONERS

March 1997

Prepared By:

William C. Overman Associates, P.C.

March 18, 1997

INTRODUCTION

Rule .0215-Public Participation, Subchapter 7B, of the North Carolina Administrative Code, March 5, 1996, (NCAC 03/05/96) requires localities to:

. . . employ a variety of educational efforts and participation techniques to assure that all segments of the community have a full and adequate opportunity to participate in all stages of plan development.

The public education and citizen participation plan is designed to give the public an opportunity to voice its views on all required policy items throughout the 1997 Town of Kill Devil Hills Land Use Plan Update (1997 Update). As described herein, several public education and citizen participation strategies will be used by the Town to accomplish this objective and thus fulfill legal requirements.

Educational efforts may include, but are not limited to newspaper articles, public service announcements, and direct mail. Participatory techniques may include, but are not limited to, neighborhood meetings, questionnaires, newsletters, and presentations to civic, business, church and citizens' groups. To encourage public participation at meetings, the public should be informed of each public meeting in multiple ways, rather than relying only on a legal notice.

The NCAC 03/06/96 requires "For all Land Use Plans, a concise Citizen Participation Plan shall be prepared and adopted by the local government at the beginning of the planning process. The Citizen Participation Plan shall be included in the Land Use Plan. At a minimum, the plan shall include the following:

- (1) A designation of the principal local board, agency, or department responsible for preparing or updating the Land Use Plan.
- (2) An explanation of the various means of soliciting public participation such as citizen surveys, questionnaires, informational brochures, and/or community outreach.
- (3) A schedule of the various opportunities for public information and participation with specific dates.
- (4) An explanation of how public will be notified of its opportunities for input."

POLICY STATEMENT

The Town of Kill Devil Hills (Town) encourages public participation in all land use decisions and procedure development processes and encourages citizen input via its boards, commissions, and agencies.

INITIAL PUBLIC MEETING

The NCAC 03/05/96 requires that a public meeting be conducted at the beginning of the update process. During the meeting, the local government must discuss the statements of local policy found in the current Land Use Plan and the effect of those policies on the community. In addition, the local government explains the process by which it will solicit the views of a wide cross-section of citizens in the development of updated policy statements. A day-long, joint workshop, called VISION 2010, was held on November 7, 1996 by the Board of Commissioners and Planning Board to fulfill this requirement and accomplish these goals.

DESIGNATION OF PRINCIPAL LOCAL BOARD

The Town Planning Board is hereby designated as the principal local board responsible for supervision of the 1997 Update.

PUBLIC EDUCATION AND CITIZEN PARTICIPATION STRATEGIES; SCHEDULE

Citizen participation in the planning process promotes public education regarding land use issues, policy development, and regulatory procedures. The Town will proceed from this premise, thereby furthering public education on planning issues while obtaining citizen input in developing Land Use Plan policy statements and allowing for continued public participation in the planning process. To ensure that all economic, social, ethnic, and cultural view points are properly considered

in the updating process, the Town will utilize a variety of public education and citizen participation strategies including:

1. Kill Devil Hills Public Opinion Survey - The results of a public opinion survey mailed to 7,500 residents and property owners in July, 1997 will be recorded, analyzed, and considered in the review and development of policies to be included in the 1997 Town of Kill Devil Hills Land Use Plan Update.
2. Direct Citizen Participation - Commencing with the public opinion survey, continuing at a meeting to discuss the public education and citizen participation plan held on November 7, 1996 and continuing further at each subsequent Planning Board meeting, citizen participation will be encouraged and time will be allocated as appropriate for round-table discussions involving citizens, the planning board, and staff. Round-table discussions will be held during regularly scheduled Planning Board meetings held on the 1st and 3rd Tuesday of each month. The first of such meetings, scheduled for April 1, 1997, will be a round-table discussion on land use policy issues. Additional time will be allowed, if needed, at the second meeting of the month.

3. Interest Group Participation - A number of interest groups will be identified and invited to participate at the regularly scheduled Planning Board round-table discussions. These include, but are not limited to the following:
- a. Albemarle Commission
 - b. Dare County Bar Association
 - c. Dare County Board of Realtors
 - d. Dare County - Outer Banks Jaycees
 - e. Dare County Restaurant Association
 - f. First Flight Lions Club
 - g. United States Department of the Interior, National Parks Service
 - h. North Carolina Nature Conservancy
 - i. Ocean Acres Civic Association
 - j. Outer Banks Chamber of Commerce
 - k. Outer Banks Hotel/Motel Association
 - l. Outer Banks Homebuilders Association
 - m. Outer Banks Kiwanis Club
 - n. Outer Banks Lioness Club
 - o. Outer Banks Senior Fellowship
 - p. Rotary Club
 - q. Virginia Dare Business and Professional Womens' Club

Planning Board members and staff will avail themselves of opportunities to meet and interact with these organizations as invitations occur and schedules permit.

4. Media Participation - Local, regional, and state media will be invited to participate in the 1997 Update and will be encouraged to attend public hearings and round-table discussions. Media organizations include, but are not limited to the following:

- a. The Coastland Times
- b. The Virginian Pilot/Ledger Star
- c. The Daily Advance
- d. Outer Banks Sentinel
- e. WNHW Radio
- f. WOBR Radio
- g. WERX Radio
- h. WVOD Radio
- i. WAVY TV - Channel 10
- j. WTKR TELEVISION - TV3
- k. WVEC - TV Channel 13
- l. WITN TV - Channel 7

5. Area Local Governments - Local governments and agencies will be invited to participate in the 1997 Update and will be encouraged to attend public

hearings and round-table discussions. These include, but are not limited to the following:

- a. Town of Kitty Hawk
- b. Town of Nags Head
- c. Town of Southern Shores
- d. County of Dare
- e. Dare County Board of Education

NOTIFICATION PROCEDURES & IMPLEMENTATION STRATEGY

Advertisements in newspapers, radio public service announcements, and direct mailings will be used to announce meetings and encourage participation by citizens, interest groups, news media, and other interested parties. Meeting notices will also be posted on bulletin boards and information desks where appropriate. Efforts will be made to attend civic club meetings and the like to further expose the planning process to the public.

DOCUMENTATION

This plan, as adopted, including a listing of meetings and other applicable documentation, survey results, and an assessment as to the effectiveness and adequacy of the citizen participation effort will be included as a part of the 1997 Update.

APPENDIX 2

1997 TOWN OF KILL DEVIL HILLS

PUBLIC OPINION SURVEY FORM AND RESPONSE PERCENTAGES

The preparation of this document was financed in part through a grant provided by the North Carolina Coastal Management Program, through funds provided by the Coastal Zone Management Act of 1972, as amended, which is administered by the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration.

TOWN OF KILL DEVIL HILLS

Public Opinion Survey

- I. **COMMUNITY ISSUES:** *Examines issues of community importance. Your input will assist in formulating and directing policy-making over the next 5 years. Circle the response that best describes your attitude. Do not mark if you have no opinion on the subject.*

		STRONGLY DISAGREE				STRONGLY AGREE
		1	2	3	4	5
A. <u>GENERAL</u>						
1. My overall opinion of the Town services of Kill Devil Hills is satisfactory		2.1	2.9	29.6	42.7	22.8
2. Citizens have adequate opportunities to participate in local/community affairs		3.2	7.8	32.5	38.4	18.1
3. Local government should be involved in promotion of affordable housing		38.2	17.3	19.9	12.3	12.3
4. Private interests should be involved in the promotion of affordable housing		14.4	8.3	23.1	24.9	29.2
5. Plans for evacuation of the island in the event of a major storm during peak tourist season are adequate		5.3	9.5	26.1	37.6	21.4
Comments on the adequacy of evacuation plans:						
6. Residential trash should be picked up by the Town once a week in the off season (instead of the current two pickups) with the exception of holidays		18.0	5.8	10.5	22.3	43.4
7. Beach municipalities should consolidate services when feasible		2.1	2.2	12.5	25.7	57.6
8. Vendors should be allowed on the ocean beach		71.3	7.7	8.6	5.3	7.1
B. <u>DEVELOPMENT</u>						
1. The Town should become more residential, less commercial		4.1	3.5	23.8	19.7	48.9
2. The Town should become more commercial, less residential		61.2	13.4	19.6	1.7	4.1
3. The existing residential zone rules should be relaxed to allow greater densities and a greater variety of uses		64.5	14.1	9.6	5.2	6.6
4. The existing low density residential zone around Wright Brothers National Memorial should be maintained		3.9	1.1	5.4	13.4	76.2
5. Kill Devil Hills needs a convention center		47.9	12.4	19.9	8.1	11.8
6. New utilities should be placed underground		3.3	1.7	9.4	19.6	66.0
7. Existing overhead utilities should be relocated underground		9.9	6.1	22.7	18.7	42.6
8. Relocation of overhead utilities should be funded by...						
a. ad valorem taxes		39.8	7.6	25.5	16.1	11.0
b. contributions from affected individuals		26.6	11.6	22.9	17.5	21.4
c. grants		9.1	2.5	19.3	26.2	42.9
d. other (specify)_____		12.5	3.2	19.3	12.2	52.7
9. Greater setback requirements should be required for ocean front structures		5.6	4.1	18.1	22.7	49.5
10. Fishing and passive recreation should be allowed at Fresh Pond		13.0	5.1	35.9	22.1	23.9
		STRONGLY		STRONGLY		

	DISAGREE			AGREE	
	1	2	3	4	5
11. Private funds should be used to construct erosion control devices (i.e., bulkheads, seawalls, breakwaters, artificial seaweed)	18.8	8.0	20.4	18.3	34.5
a. Public funds should be used for structural responses such as bulkheads, seawalls, breakwaters, or artificial seaweed					
b. Public funds should be used for beach nourishment by pumping or hauling in sand	30.9	10.5	19.2	19.5	19.8
c. Private funds should be used for beach nourishment by pumping or hauling in sand	19.2	9.8	20.7	17.8	32.5
12. The size requirements for signs are satisfactory	4.8	5.8	37.0	28.3	24.1
13. Generally, the appearance of signs is satisfactory	5.5	7.7	35.0	32.4	19.3
14. Neon lights should be regulated in the Town	5.2	4.1	17.1	23.0	50.6
15. Portable (sandwich-board) signs are acceptable	26.1	12.6	34.2	17.0	10.1
16. The Town should seek State and Federal assistance to help ensure the availability of wind insurance	2.8	0.9	9.9	24.2	62.2
17. Additional regulation of privately owned personal water craft use in the ocean is needed	12.0	8.3	20.6	19.9	39.2
18. Additional regulation of privately owned personal water craft in the sound is needed	10.9	7.4	19.6	19.6	42.6
19. The presence of adult entertainment establishments would enhance the vacation/resort attraction of Kill Devil Hills for vacationers	71.8	8.0	8.2	4.9	7.1
20. The presence of adult entertainment establishments would negatively influence my decision to buy a vacation cottage or home in Kill Devil Hills if I were in the market to purchase one	10.8	5.0	10.9	10.1	63.2
21. The presence of adult entertainment establishments would negatively influence my decision to vacation in a resort area	11.5	6.5	14.8	10.7	56.4
C. <u>FUTURE PLANNING</u>					
1. U.S. 158 (N. Croatan Highway) should be widened to have a total of seven (7) lanes (3 northbound, 3 southbound, one center turn lane)	48.1	14.1	13.0	10.6	14.2
2. U.S. 158 (N. Croatan Highway) should be widened to have six (6) lanes and a divided, limited access, landscaped median	44.8	14.3	13.7	12.4	14.9
3. Milemarkers should be painted on the road surface of U.S. 158 (N. Croatan Highway)	24.0	8.6	21.3	19.0	27.1
4. A municipal sewage treatment plant is needed	12.6	6.3	27.8	20.1	33.2
5. The Town should extend its extraterritorial jurisdiction into the Colington Island and Baum Bay areas	20.3	8.4	31.6	17.5	22.2
6. The Town should extend its extraterritorial jurisdiction offshore	27.4	13.6	32.0	12.0	15.0
7. Additional multi-family/condominium development should be prohibited West of U.S. 158 (N.Croatan Highway)	10.3	8.9	18.5	14.3	48.1

	STRONGLY DISAGREE			STRONGLY AGREE	
	1	2	3	4	5
8. Developers should pay impact fees for those services required by their new development	1.8	1.3	6.6	16.9	73.2
9. Architectural and beautification standards for new and existing development should be established	5.3	4.3	15.2	23.8	51.4
10. The Town should study and establish a historical district in conjunction with the upcoming (2003) celebration of the 100th anniversary of the Wright Brothers' first flight	13.6	7.9	27.4	22.7	28.3
11. Private redevelopment efforts should be encouraged to preserve or continue the general residential building type or character	3.1	3.4	19.8	34.2	39.5
12. Off-shore oil and natural gas exploration should be supported	55.5	12.0	14.6	7.8	10.2
13. The Town should develop and implement regulations to prohibit the removal or depletion of natural vegetation	5.5	3.7	13.0	21.7	56.1
14. Access to quality medical care is a major concern for Town (Outer Banks) residents	2.7	2.8	15.7	23.4	55.4

Currently, the Planning and Inspections, Tax and Finance (Central Cashier), Fire, and Police departments are located along U.S. 158 at the 1634 N. Croatan Highway complex. The Town Manager=s Office and Public Services Departments are located on the Baum Tract along Veteran=s Drive and Colington Road.

15. The Town=s government offices should all be located on the Baum Tract along Veteran=s Drive and Colington Road	24.8	11.7	30.1	11.4	22.0
16. The Town=s government offices should be all located along U.S. 58 at the 1634 N. Croatan Highway complex	37.8	17.9	30.2	4.4	9.6
17. The Town=s government offices should continue to be located where they areC some at 1634 N. Croatan Highway and some on the Baum Tract along Veteran=s Drive and Colington Road	16.3	6.3	26.5	15.1	35.8

D. TAXES/PUBLIC FUNDS

1. Placement of new utility lines underground or relocation of existing overhead utility lines should be supported by higher taxes and/or higher utility bills	48.0	16.4	17.6	11.1	6.9
2. Local public funds should be used to construct ocean beach accesses	15.6	8.3	22.9	26.6	20.0
3. Local public funds should be used to construct public sound accesses	15.9	7.8	23.5	25.0	19.9
4. Public funds should be used to construct or improve streets	4.0	2.7	18.7	35.1	34.7
5. Public funds should be used to construct parks and recreational facilities	9.0	6.6	22.2	31.0	25.2
6. Admission fees should be used to construct and maintain parks and recreational facilities	22.4	14.0	8.5	19.3	19.2
7. Other funds such as grants or donations should be used to construct parks and recreational facilities	3.0	2.4	16.1	29.8	39.6
8. Public funds should be used for stormwater drainage management projects	5.6	3.4	24.5	30.3	29.2

	STRONGLY DISAGREE			STRONGLY AGREE	
	1	2	3	4	5
9. Public funds should be used to provide incentives to stimulate additional economic development	29.3	16.2	25.5	11.1	8.1
10. The Town should spend public funds to pave unimproved (undeveloped) streets	20.9	15.0	23.6	17.8	14.2
11. The Town should purchase/acquire soundside property for public access to sound	15.4	8.4	22.8	22.6	21.7

II. SPECIAL ISSUES: *Requests information related to specific issues. Circle your opinion - (Y) Yes, (N) No, or (O) No Opinion - for the given statements. Although some of the concepts may be complicated, please answer to the best of your ability.*

	Y	N	O	
1. Buildings of 5 or more stories should be allowed in...				
a. ocean front area		10.7	86.7	2.6
b. commercial zone between U.S. 158 and NC 12		12.8	77.6	4.7
c. residential area (West of U.S. 158)		12.6	79.9	3.2
d. light industrial area (West of U.S. 158)		18.3	71.5	5.5
2. Buildings of 5 or more stories on a site that allows the remaining open space to be proportional with the structure should be allowed in the...				
a. ocean front area		11.8	78.0	4.5
b. commercial zone between U.S. 158 and NC 12		12.3	74.9	6.3
c. residential area (West of U.S. 158)		10.2	78.3	5.1
d. light industrial area (West of U.S. 158)		17.8	69.0	6.1
3. Existing height limitations in each zone should be maintained		80.5	5.4	6.8
4. Dogs on leashes should be allowed on the beach...				
a. at all times		18.5	69.7	2.3
b. from September 15 through May 15		61.0	24.4	4.2
c. after 5:00 p.m.		39.1	43.7	5.1
5. Vehicles should be allowed on the beach from September 15 through May 15		56.3	37.0	3.2

III. DEMOGRAPHIC DATA: *Provides information that enables us to understand the feelings of different groups of citizens. Please check the answer(s) that apply to you or your household.*

1. Where is your primary residence?
 - a. 5.6 East of NC 12
 - b. 25.6 between the highways
 - c. 68.8 West of U.S. 158
 - d. 79.3 North of Colington Road
 - e. 20.7 South of Colington Road
 - f. 27.8 out of Town
 - g. Do you own other property in Kill Devil Hills? 49.3 yes 50.7 no
2. Which of the following best describes you? (Check all that apply)
 - a. 63.4 male
 - b. 36.6 female
 - c. 80.4 married
 - d. 19.6 unmarried (single, divorced, separated)
 - e. 26.1 have children (under 18) living at home
 - f. 73.9 have no children (under 18) living at home
3. Please check your age group category.
 - a. 0.1 19 yrs or younger

- b. 3.0 20-29
 - c. 9.9 30-39
 - d. 18.8 40-49
 - e. 26.3 50-59
 - f. 12.3 60-64
 - g. 28.6 65 and over
4. Which residence group best fits you?
- a. ____ year-round resident/homeowner of Kill Devil Hills (go to question 7)
 - b. ____ year-round resident/renter of Kill Devil Hills (go to question 7)
 - c. ____ live in Kill Devil Hills less than 6 months each year and own property
 - d. ____ other (specify)
5. Where is your permanent residence?
- a. 13.0 other city in North Carolina
 - b. 66.3 Virginia
 - c. 8.0 New York, New Jersey, or Pennsylvania
 - d. 12.7 other (specify state)
6. Which of the following lengths of time best describes how long you have lived in or owned property in Kill Devil Hills?
- a. 27.0 more than 20 years
 - b. 38.9 10 - 20 years
 - c. 21.3 5 - 10 years
 - d. 12.7 less than 5 years
7. Which category best describes your employment status?
- a. 53.7 employed full time (please answer 8)
 - b. 2.2 seasonally employed (please answer 8)
 - c. 5.3 employed part-time all year (please answer 8)
 - d. 0.9 unemployed
 - e. 37.8 retired
8. Which category best describes your employment type?
- a. 14.0 government/military
 - b. 8.2 education
 - c. 28.3 professional/technical
 - d. 5.6 construction
 - e. 7.5 sales/real estate
 - 5. 3.6 housewife
 - 6. 2.0 restaurant
 - 7. 1.3 hotel/motel
 - 1. 9.3 other (specify)
9. Are there any other comments or suggestions you would like to make?

10.7%

86.7%

2.6%

12.8%

77.6%

4.7%

12.6%

79.9%

3.2%

18.3%

71.5%

5.5%

11.8%

78.0%

4.5%

12.3%

74.9%

6.3%

10.2%

78.3%

5.1%

17.8%

69.0%

6.1%